

Exhibit S-5

6:58:38 PM - - Dennis Township Zoning Board of Adjustment
September 28, 2011

Attendance: Sorenson, Mascia, Jones, Germanio, Haig, Penrose,
Kelly, Harvatt, Orlando.

Applications:

R.E. PIERSON CONSTRUCTION, INC. - Block 224, Lots 68.01, 73,
74.02, 75.03 and 78.04:

Located on Woodbine-Ocean View road in Ocean View in both the B (Business) and C (Conservation) Districts. Applicant seeking a use variance to construct and operate a ready mix concrete plant and a Class B recycling facility in addition to the existing mining operation. Applicant also requesting a height variance where 35 feet is permitted and 82 feet is proposed.

6:58:38 PM - - Start Recording
6:58:44 PM - - Sorenson - call meeting to order.
6:59:45 PM - - Roll call.
6:59:48 PM - - Sorenson - alt 1 and alt 2 will vote; Kelly owns property within 200 feet.
7:00:26 PM - - Harvatt - this hearing may go on longer than this evening and if a member is not able to attend, in order to vote he or she will have to listen to the recording of the meeting missed.
7:01:02 PM - - Sorenson - R.E. Pierson Construction, Inc.
7:01:46 PM - - James Pickering, Esquire - attorney for applicant. Will be joined during course of meeting by Bill Ziegler as co-counsel. Here to night to present application for a concrete plant and a Class B recycling facility. Ordinarily would not need approval for the recycling facility be due to multiple uses on property, they are before the Board. Discussed asphalt plant as an accessory use, but seeking use as a concrete plant.
7:04:06 PM - - Harvatt - advised that Germanio is sitting on the Board and recused himself from the last hearing on this matter. Due to a change in ownership of a parcel, it is believed that he is no longer within the 200 feet. Mr. Germanio has been advised by the Construction Office that his property is 214 feet. Wants to make sure that his sitting on the Board for this application be an impediment.
7:05:54 PM - - Pickering - would hate to see the matter proceed and then find out Germanio is within the 200 feet.
7:06:18 PM - - Harvatt - suggest that Mr. Germanio remain tonight and Mr. Pickering flush out the issue.
7:06:54 PM - - Pickering - feels if that information finds him within 200 feet it will invalidate the hearing tonight.
7:07:22 PM - - Germanio - will recuse himself from application.
7:07:34 PM - - Harvatt - Germanio will recuse himself and Penrose will now vote.
7:08:30 PM - - Harvatt - administer oath to Mark Gibson.
7:08:55 PM - - Pickering - question Gibson.
7:09:02 PM - - Gibson - professional land surveyor and principle of Gibson and Associates, licensed professionally since 1987. Familiar with the subject property. Review past ownership of property. Confirms that he has been on the subject property, that he lives and owns property in South Seaville and his office is located in Ocean View. His office surveyed the property for the applicant. (Survey marked as A-1.) Refer to survey and indicate property location and roads in vicinity. Describe subject site - what you would expect of a mining site, grading,

standing water. Site is licensed for mining. Refer to survey and show section of property purchased by Mr. Ay later in his ownership which has never been mined. Confirm that portion along Corson Tavern Road is not used at all and that Mr. Ay owns property and retains an easement in that area. Gibson is currently working on the application to come before the Planning Board for its mining permit renewal. Discuss Letter of Interpretation (LOI) which exists with respect to the property which was valid for 5 years and was extended for an additional period in 2009. Refer to aerial photograph from 2010 of the site and describe location of site. Topographics have been updated this summer and is illustrated on survey. Discuss zoning of property and show location of the various zones encompassing this property. Refer to aerial photograph and describe surrounding properties and their uses. (Aerial photograph marked as Exhibit A-2.) Describe what is located on the Cape May County site. Refer to applicant's site and show approximate location of various uses and proposed uses. Proposed facility would be approximately one-half mile from nearest commercial site, one-half mile from nearest residential site; about 900 feet to nearest campground and more than and one-half mile from next campground (Resorts).

- 7:29:54 PM - - Robert Sandman, Esquire - appeared on behalf of Resorts at previous hearings and would like to cross-examine witness.
- 7:30:20 PM - - Harvatt - discuss how to proceed.
- 7:30:29 PM - - Pickering - agree that he can cross-examine after each witness.
- 7:30:49 PM - - Sandman - indicate that he has many exhibits and would like to spread out on table.
- 7:31:20 PM - - Harvatt - suggest he set up on table in rear of room.
- 7:31:30 PM - - Sandman - question Gibson.
- 7:31:41 PM - - Gibson - site does abut Corson Tavern Road, easement is owned by the applicant and is wide enough for a street. Indicated he would have to check easement agreement as to any restrictions for egress and ingress. Easement is for benefit of Mr. Ay. Doesn't know of any restriction by applicant to use as access, but reserved right to check easement document. Discuss amount of vegetation, type and its location on site. Agrees that much of vegetation has been removed. Discuss buffer line along property line of Resorts. Indicate that he has done soundings of pond in that area in the past and believes approved plans allow depth of 65 feet. Describe buffer as being sloped with 12 to 14 feet, 3 to 1 or 2 to 1 vegetated slope. Describe area of dredge as he last knew of its location. Other ponds on site are more shallow. Has not sounded actively dredged area recently. Describe adjacent properties to site - all are commercial and in the Business Zone. Confirm that there is a common line between site and Outdoor World Campground and that the campground encroaches in several areas on the applicant's site. Testified that certain areas not eligible to be mined and described those areas and reasons why they could not be mined. In order to mine those areas, the applicant would need to obtain variance. Describe difference between sandwash and mining, but indicated that Mr. Mitchell would probably be better at explaining.
- 7:43:48 PM - - Sorenson - questions of Board for Engineer.
- 7:44:05 PM - - Mascia - would like closer look at aerial photo.
- 7:44:30 PM - - Soreson - ask Board, then public for questions of Gibson.
- 7:44:45 PM - - Matt Blake - take oath - is there a permit by local ordinance or otherwise to do sandwashing on 15 acre parcel.
- 7:45:32 PM - - Gibson - received approval for sandwashing about 3 or 4 years ago.
- 7:45:46 PM - - Blake - ask Gibson to point out where refuge is.
- 7:46:06 PM - - Gibson - point out location where he believes refuge is located

adjacent to site.

7:46:32 PM - - Blake -

7:47:16 PM - - Gibson - there are environmentally sensitive areas in the vicinity.

7:47:43 PM - - Blake - why was a distinction between residential and campground uses.

7:48:13 PM - - Gibson - as he understands it, campgrounds are non-conforming uses and no additional campgrounds are permitted in the Township.

7:48:57 PM - - Blake - question why some numbers given were specific and others approximate.

7:49:20 PM - - Gibson -

7:49:35 PM - - Walter Kaczor - take oath -

7:50:06 PM - - Harvatt - at this time it is questions to Mr. Gibson only, opinions and comments will be allowed later.

7:50:26 PM - - Kaczor - opening of road

7:50:36 PM - - Gibson - doesn't know of any plans at this time, but knows of no restrictions but reserves answer until able to re-read agreement.

7:51:11 PM - - Pickering - with regard to potential piece going out to Corson Tavern Road.

7:51:34 PM - - Gibson -

7:51:44 PM - - Sandman - objection - Gibson testifying as surveyor and now giving planning testimony.

7:52:15 PM - - Gibson - his belief that there would need to be an application to the Planning or Zoning Board and notices sent to use as roadway.

7:53:01 PM - - Sandman - isn't it a permitted use?

7:53:10 PM - - Gibson - not sure.

7:53:17 PM - - Mascia - distance from Woodbine Ocean View Road to Mr. Ay's lot.

7:53:52 PM - - Gibson - approximately 1250 feet.

7:54:01 PM - - Sorenson - any further questions for Gibson.

7:54:10 PM - - Pickering - would need road opening and County approval and possibly State review before could be used as road.

7:54:46 PM - - Sandman - what if applicant wanted to use as is as a dirt road.

7:55:00 PM - - Gibson - Mr. Ay currently uses as access to his property and is approximately 200 - 250 feet paved, then dirt portion makes its way to applicants site and a gated entrance established for safety purposes. Gate was placed as a condition of approval.

7:57:06 PM - - Pickering - present Curt Mitchell.

7:57:23 PM - - Harvatt - administer oath to Mitchell.

7:57:32 PM - - Pickering - questions to Mitchell.

7:57:39 PM - - Mitchell - Describe a sandwash and how it operates. Refer to survey and show location of sandwash. Sandwash is a permanent structure and is taxable. Previously asked Township to make it permanent instead of moveable. Has been with company for 23 years. His job includes marketing, front man for expansions, etc. No intention to do anything with "pencil" area - Mr. Ay is a good neighbor, property is narrow and would have to build and construct a road; makes no sense to use that road for trucks when have access on Corson Tavern Road. Currently have 13 employees and just recently hired an additional driver - plant manager, dredge operator and load manager, office manager, balance are truck drivers. Mining operation is fully permitted by Township and State. Have been mining for about 5 years. Business is not as good as it used to be. New mixes require higher quantity of crushed stone; concrete sales are down because used mostly in construction, which is down; no longer have asphalt. Hours are generally 6:30 a.m. to 3:00 p.m. Describe traffic on to and off of site - ideally try to get trucks out early and back by 3:00 p.m. In applicant's best interest so don't have to pay overtime. Depending on where

trucks are going depends on how many trips are in and out of site. Try to maintain best utilization of trucks and keep them running full. As a rule, plant is closed for 6 to 8 weeks in winter when it is slow and they then perform maintenance and build up supply. Sand plant can't be run when it is freezing. Since on the site, applicant has had a temporary Class B operation. This was done by approaching Township and sending notices, that is then sent to the State and the State issues a temporary permit with a number of limitations. There are exemptions and restrictions to this process and advised of the 2 that he is familiar with. Machinery for the temporary use is similar to the machinery that is being requested in this application and believes that was around this time of year. Anticipates 30,000 tons of recycling per year as a realistic number. Recycling would involve the recycling of curbing, sidewalks, etc. from a size of about 1/2 inch to a sand consistency. Twelve to 14 tons would be average in each incoming truck and 24 tons outgoing and those numbers would be used to determine approximate number of trucks in and out based on the 30,000 tons anticipated. Employees would be multi-tasking and working at both sand plant and recycling facility. 30,000 tons is the goal they are shooting for, but will be less to begin with. Cement trucks carry 24 tons. Sand for concrete would come from the site. The stone would come from Pennsylvania - their trucks would take sand and bring back stone so there would be no additional truck traffic. Describe jobs, number, starting pay between \$22 to \$25.00 per hour, benefits. Aware of 1 concrete plant in Cape May County - Action Supply. There are a couple in both Atlantic and Cumberland County. Trucks are covered with a tarp, which he believes is a State law, but is also company policy. Refer to plan and describe concrete plant machinery (Exhibit A-3 - plan for central mix plant from Erie Strager). Describe dimensions of concrete plant. Typical plant is high - proposed plant is approximately 80 feet in height. Applicant owns facility in Winslow - described that site and how it would compare to proposed plant at this site. (Aerial photos of Winslow plant marked as A-4.) Photos show site as it substantially is today. Describe how plant works. Submit photo (A-5) looking down on Winslow facility showing recycling facility at that location. Testify that proposed recycling facility will look substantially like that at the Winslow plant. Describe crushers and how they work. Only asking for concrete and asphalt recycling, nothing else. Will need to get site plan approval and will be inspected by State, usually monthly, that they are operating within all boundaries. Applicant is agreeable to making existing berm permanent as a sound barrier. Testified that the dredge moves and pulls itself back and forth sideways and moving from one pond to another is a substantial project. His understanding that only certain operations can function at the same time and others must be operating one at a time. Feels site is well suited for proposed uses - necessary businesses, site is 170 acres and already disturbed; sits on and off the road; materials are there which minimizes truck traffic; being on a County roadway, which is a designated truck route.

- 8:40:13 PM - - Sorenson - questions from Board.
- 8:40:20 PM - - Mascia -
- 8:40:34 PM - - Mitchell - will recycle concrete and asphalt; presently 8 trucks on site; average 3 to 4 trips per day; currently operate Monday through Friday. If application approved will probably add about 5 more trucks for about 20 additional trips per day. Can be some dust when crushing concrete, State is very strict

about this, use a mist to keep at minimum. Drivers need commercial driver's license, company careful about who they hire for liability reasons. Width of plant is about 24 inches, is rather lengthy but not sure of length due to angle required by conveyor belt.

8:44:49 PM - - Jones - questions.
8:44:59 PM - - Mitchell - electric power. Sound is minimized by operating it by itself.
8:45:48 PM - - Haig - questions.
8:45:53 PM - - Mitchell - Winslow is 14 to 17 acres in area questioned by Haig. Describe how rebar is removed. Rebar is small percentage and is scrapped at a scrap yard - they have no use for it. Increased truck traffic will be from concrete, no increase from existing uses.
8:48:32 PM - - Jones - questions.
8:48:38 PM - - Mitchell - everything is on location. Look at cost.
8:49:37 PM - - Sorenson -
8:49:43 PM - - Penrose - questions
8:49:48 PM - - Mitchell - for this application, it has to be stationery and not portable.
8:50:11 PM - - Pickering - Mr. Pierson would be happy to make both structures permanent.
8:50:31 PM - - Harvatt - administer oath to Vincent Orlando, P.E. and Bruce Klein, P.E.
8:51:05 PM - - Klein - questions.
8:51:12 PM - - Mitchell - Discuss hours of operation, truck traffic and times of operation; explain how weather affects operations; discuss busier times of year - spring and fall. Discuss truck traffic - may have a run of trucks leaving first thing in the morning, but evens out during day. Vast majority of concrete trucks go out full, but not always - probably average is 90%.
8:58:46 PM - - Sorenson -
8:58:52 PM - - Sandman - questions for Mitchell.
8:59:30 PM - - Mitchell - components of concrete is cement, stone and sand - describe percentage of each in concrete mixture. Additives are added and are stored in large plastic containers and are brought in by truck. Trucks coming back to site are either coming back empty or loaded with stone. Try to minimize truck trips - would not send an empty truck from Ocean View to Pennsylvania - not cost effective. At the current rate they are going the site has another 20 years of product available for removal. Reading from document provided by Sandman indicated how many cubic yards were permitted to be removed at time Pierson purchased property.
9:05:52 PM - - Sandman - identify documents and mark (O-1, Mining Agreement from 2006; O-2, Sand Mining Only document.) Continue with questioning of Mitchell.
9:06:54 PM - - Mitchell - numbers identified in Mining Agreement were put in as a safeguard for purchase of property.
9:07:46 PM - - Pickering -
9:07:50 PM - - Sandman - have to evaluate potential of what can be mined.
9:08:17 PM - - Harvatt - there is a limit.
9:08:26 PM - - Sandman - there are 2 to 3 million yards to be mined. If they get the approval, they could get a contract tomorrow that could increase truck traffic tremendously.
9:09:42 PM - - Pickering - they own the property, they have a lease and they can mine what they want tomorrow.
9:10:10 PM - - Harvatt and Sandman - discussion regarding amount of mining.
9:10:51 PM - - Sandman -
9:11:01 PM - - Mitchell - have job now with Cape May County calling for 700,000 tons of fill dirt and they will not take 1 truck from their site because not feasible. Have no limitations on amount of sand they can remove now. Sales are driven by the economy

and deals that can be made with other contractors. Testified that he is aware that summer weekend traffic is horrendous.

9:16:05 PM - - Sandman - calculations of truck traffic for anticipated goal of concrete production and calculations of truck traffic for recycling facility that would have to be added to mining truck traffic.

9:17:45 PM - - Mitchell - Discussion of truck traffic and number of trips for concrete, sand, recycling, stone, additives, customers, salesmen, employees. Indicate that he is on the site at least once a week. Discussion of dust from product - can be if it is dry; there are items which need to be monitored; confirm that Pierson has been cited in the past for reporting violations; discuss safety of employees' eyes and ears when using equipment. Examine material when it comes in, cannot check every single piece, for oil stains or contaminations. Examination is visual. If there is a repeat offender, do not allow them to come back in. Discuss hours of operation and types of trucks and how much material they hold. Discussion of noise made by trucks delivering product, movement of product on site and noise generated by crushers. Noise is a problem and has to be controlled. Two existing sites are in closer proximity to residential areas than this site. Again described how sandwash works. Discuss crushers and noise generated by machines. Machines have potential for giving off emissions, but need to be maintained. There are occasions they work on Saturdays, but do not use the crushers on Saturdays. There are circumstances where a contract calls for working at nights or weekends. If this happened, would have to ask for permission if hours were beyond what the Board may approve. Doesn't know what portion of plant is considered permanent and, therefore, taxable. Pierson did at one time have plans to put an asphalt plant on this property, but has no plans at this time. Described "disturbed site" - was disturbed prior to Pierson purchasing site, site is pretty much open and feels better to place on this site instead of disturbing another site; business are related and can help supplement each other. Refer to page of sworn testimony from prior hearings and respond to Sandman's question regarding same.

9:39:36 PM - - Harvatt - Chairman would like to end at 10:00 to conduct other Board business.

9:40:11 PM - - Sandman - continue with questions to Mitchell.

9:40:20 PM - - Mitchell - no real reason to start any earlier than 6:30 a.m.

9:40:47 PM - - Sandman - mark Inspection Summary of R.E. Pierson Materials dated 9/9/11 as O-3.

9:41:22 PM - - Mitchell - refer to O-3

9:42:27 PM - - Harvatt - ask about document

9:42:47 PM - - Sandman - it is a DEP document.

9:43:15 PM - - Mitchell - has never seen document before, but says Pierson was out of compliance regarding record keeping but not sure what is actually refers to.

9:45:29 PM - - Sandman - mark Exhibit O-4 - same type of inspection report as O-3 relating to Dennis Township property.

9:46:04 PM - - Mitchell - read from report, says Pierson is out of compliance regarding water diversion. Again, advised that he has never seen this document before.

9:47:42 PM - - Sandman - mark O-5 - Inspection Summary Report with respect to Logan Township, R.E. Pierson, dated 9/9/11.

9:48:48 PM - - Mitchell - read from O-5 and that Pierson was found out of compliance.

9:49:45 PM - - Sandman - mark O-6 - Inspection Summary Report R.E. Pierson, Monroe Township, dated 6/2/11. Indicates cited for non-compliance issue. (Sandman to make copies of Exhibits and provide to Board at next meeting.) Continue with questions to

Mitchell.

9:52:55 PM - - Mitchell - Doesn't know exact number of employees at Winslow, but believes similar to this site.

9:54:48 PM - - Sandman - provide copy of portion of deposition transcript of Mitchell's testimony - page 23.

9:55:54 PM - - Pickering - ask Mitchell to start reading at bottom of page 22 and continue on to page 23.

9:56:21 PM - - Mitchell - read from transcript concerning peak number of trucks; indicate that that was 2 years ago and is not what it is now.

9:57:29 PM - - Sandman - page 43 of transcript presented to Mitchell. Asked how many days of week on average.

9:58:08 PM - - Mitchell - 5 days, possibly 6 - read from transcript. Indicated that there was the possibility of 6 days per week operation. Has not seen transcripts himself.

9:59:22 PM - - Sandman - no further questions of witness.

9:59:29 PM - - Sorenson - ask public for questions of Mr. Mitchell.

9:59:51 PM - - John Thompson - take oath -

10:00:19 PM - - Mitchell - at plant in Ocean View at least once a week for several hours; confirm numbers for concrete plant; can't run concrete and recycling operations at same time; sand plant will continue to run; will do as much business as they can get and will have to complete to get business.

10:02:42 PM - - Alma George - take oath -

10:03:03 PM - - Mitchell - have 2 plants in Pleasantville - Penn Jersey and Pierson; if variance is granted, have to get CAFRA approvals and any other permits, will begin hiring and cross-training; training will probably be done by employees brought in from other sites; answered question about new type of asphalt developed within last 10 years.

10:06:21 PM - - Blake -

10:06:33 PM - - Mitchell - production of concrete doesn't use a lot of water; explain how water is injected - about 25 gallons per barrel, the amount is minimal.

10:10:12 PM - - Sorenson - any other questions

10:10:22 PM - - Mascia - is Class B necessary to have with concrete plant

10:10:45 PM - - Mitchell - nice to have both, but not necessary.

10:10:56 PM - - Sorenson - calling a halt to the hearing tonight, will continue at next meeting on October 28, 2011.

10:11:21 PM - - Pickering - will not allow this to carry on as last time.

10:11:47 PM - - Sorenson - Board still has business. Resolution for Risko Burton Holdings.

10:12:36 PM - - Jones - motion

10:12:44 PM - - Mascia - second

10:13:08 PM - - Sorenson - Add A Room - Resolution
Penrose - motion

10:13:30 PM - - Jones - second

10:13:50 PM - - Sorenson - Professional Services Contract - T & M Associates

10:14:06 PM - - Harvatt - explain Resolution

10:14:18 PM - - Haig - motion

10:14:24 PM - - Mascia - second

10:14:48 PM - - Sorenson - bills

10:14:54 PM - - Jones - motion

10:14:58 PM - - Baldwin - second

10:15:18 PM - - Sorenson - no further business, meeting adjourned.

10:15:54 PM - - Stop Recording

6:58:59 PM - - Dennis Township Zoning Board of Adjustment
November 16, 2011

Attendance: Sorenson, Mascia, Penrose, Jones, Kelly, Baldwin,
Turner, Robertson, Harvatt, Orlando

APPLICATIONS:

ERM DRIFTWOOD, LLC - Block 261, Lot 22: Located on Route 9 in
Clermont in a General Commercial (GC) District. Applicant
seeking a site plan waiver to install 42.4 KW ground mounted
photovoltaic system as an accessory use to an existing
campground.

ARC OF CAPE MAY COUNTY - Block 79, Lots 6 and 7: Located on
Route 47 in South Dennis in a Village Residential (VR)
District. Applicant seeking minor site plan approval, as well
as a variance, for the expansion of a non-conforming use and a
height variance to construct a 1,500 square foot storage
building on the property. Applicant also intends to relocate
an existing greenhouse.

R.E. PIERSON CONSTRUCTIONS, INC. - Block 224, Lots 68.02, 73,
74.02, 75.03 and 78.04: Located on Woodbine-Ocean View Road in
Ocean View in both the B (Business) and C (Conservation)
Districts. Applicant seeking a use variance to construct and
operate a ready m

6:58:59 PM - - Start Recording
6:59:06 PM - -
6:59:07 PM - - Sorenson - call meeting to order
7:00:14 PM - - Roll call.
7:00:18 PM - - Sorenson - first application ERM Driftwood, LLC.
7:00:48 PM - - Dennis Riley, Esquire for applicant. Here to supplement record
of last meeting. Have spoken to DEP and have maps to show.
Also have moved lines back 150 feet.
7:01:42 PM - - Harvatt - administer oath
7:01:47 PM - - Malcolm Robertson and Thomas Gillis - take oath.
7:01:58 PM - - Riley - trailers and RV's have been moved, so no question about
wetlands. Also no trees will be involved.
7:02:34 PM - - Robertson - no more trees to worry about - have moved toward
center of field.
7:02:55 PM - - Gillis - provide additional evidence which has been provided by
DEP (marked into evidence)
7:03:48 PM - - Sorenson - ask Board for questions.
7:04:01 PM - - Mascia - did they provide detail to the engineer that was
requested.
7:04:22 PM - - Sorenson - any further questions.
7:04:30 PM - - Harvatt - swear in Roger D. McLarnen.
7:04:42 PM - - McLarnen (filling in for Previti) - question applicant on
several issues.
7:05:17 PM - - Gillis - provide response to McLarnen.
7:05:32 PM - - Riley - provide answers as well.
7:05:43 PM - - McLarnen - review engineer's report.
7:07:08 PM - - Sorenson - open to public, none, close.
7:07:25 PM - - Sorenson - motion for site plan waiver is needed.
7:07:39 PM - - Jones motion
7:07:43 PM - - Mascia - second
7:08:18 PM - - Sorenson - next matter ARC of Cape May County.
7:09:00 PM - - Tom Hilligan, Esquire - attorney for applicant, introduce

witnesses.

7:09:20 PM - - Harvatt - Joseph _____, _____ and Brian Murphy take oath.

7:09:42 PM - - Hilligan - applicant is requesting 2 use variances - expansion of non-conforming use and height of proposed building. Also seeking variance for signage.

7:10:12 PM - - Joseph Sittinieri - proposing to construct a storage building.

7:11:12 PM - - _____ - works with the adult training and explain what they do. Works with landscaping, etc. Clients work and get paid for jobs they do. Purpose of the building would be to store all of the equipment needed for the landscaping.

7:12:54 PM - - Hilligan - introduce Brian Murphy and ask Board to accept his credentials.

7:13:19 PM - - Murphy - prepared site plan for the application. Referred to plan and described for Board. In Village Residential District - described surrounding area. Describe what applicant proposes. Applicant's proposal is in keeping with neighborhood. Use variance is required for non-conforming use. Applicant received prior approvals for its current use. Describe non-conformities on property. Existing barn exceeds height restrictions, proposed barn would also exceed height at 17.5 feet, where 15 feet is permitted. Discuss expansion proposed. Also requesting variances for 2 existing signs - one on property line in front of property and sign further back on campus directing visitors to general offices. There are security lights on property in rear that are well concealed.

7:23:38 PM - - Hillegass - ask Murphy to discuss standards and how they apply to application.

7:24:13 PM - - Murphy - discuss standards for use variance and the positive and negative criteria. Describe what proposed barn would look like. Would have no negative impact on the surrounding area and would allow the ARC to continue activities they are presently involved with. Discuss existing signs and why they are needed in their current locations. Discussed the waivers being requested - stone parking will add to the ambiance as asphalt just would not look right; site lighting - is not in the general area used by the public and is toward the back of the property for use around the barns.

7:31:58 PM - - Sorenson - ask for questions of applicant's engineer.

7:32:20 PM - - Turner - sign by road, has site triangle been checked and is it safe.

7:32:38 PM - - Murphy - sign is in unique position, it sits just behind a wrought iron fence near the entrance. If not in this location you would pass the building before you realized you had passed the building and entrance. Not unsafe in any way.

7:34:04 PM - - Penrose - feels putting a metal building would be a slap to the existing buildings - has applicant thought about a different type of siding.

7:34:59 PM - - Murphy - in process of restoring existing barn.

7:35:20 PM - - Sittinieri - looking for place to store equipment. Proposed metal building will be blocked by existing trees which will take away from the view of the building.

7:36:09 PM - - _____ -

7:36:19 PM - - Murphy - as stated, as you drive in you look right at the existing barn, the proposed barn is pushed over to the side and is not readily visible.

7:37:12 PM - - Hillegass - location of building was chosen due to the fact that it would be more hidden.

7:37:47 PM - - Murphy -

7:37:52 PM - - Jones - agrees that a metal building would not be aesthetic. Suggest a cuppola on top of the building may help.

7:38:47 PM - - Hillegass - the property is "L" shaped and the proposed building is almost behind the adjacent neighbors property and the adjacent neighbor has buildings on his property so it

blends in.

7:39:45 PM - - Penrose - site lighting.

7:39:53 PM - - Murphy - site lighting exists already, not proposing any additional free standing lights. Lights by main building are historic looking. Lights in rear of property are on a motion detector.

7:41:20 PM - - _____ - lights in rear are on a timer and set to come on and go off around their usual schedule. Usually they are done by 3:00 P.M. and there is no reason for anyone to be back there after that.

7:42:13 PM - - Sorenson - ask for any further questions - none.

7:42:27 PM - - Orlando - take oath. Give engineer's report. Response by applicant's witnesses and attorney.

7:48:24 PM - - Sorenson - ask for further questions from Board, open to public, none, close.

7:48:42 PM - - Harvatt - should discuss engineer's opinions.

7:49:11 PM - - Hillegass - not sure if sign is same size as what was approved in 1989.

7:49:53 PM - - Turner - feels should go with engineer's recommendation.

7:50:42 PM - - Harvatt -

7:50:46 PM - - Mascia - has no problem with signs and they look great.

7:51:11 PM - - Harvatt - signs have been there for an extended period of time and Board members have to decide. Some one should make a motion that a variance for the signs is not required and a vote taken.

7:52:13 PM - - Turner - motion

7:52:27 PM - - Kelly - second that sign variance not required.

7:53:10 PM - - Harvatt - proposed motion for expansion of property use

7:53:56 PM - - Mascia - motion

7:54:00 PM - - Turner - second

7:54:23 PM - - Harvatt - approval construction of 1500 square foot barn

7:54:50 PM - - Mascia - motion

7:54:55 PM - - Jones - second

7:55:14 PM - - Harvatt - height variance for barn

7:56:22 PM - - Mascia - motion

7:56:26 PM - - Turner - second

7:56:49 PM - - Harvatt - waivers for lighting and stone paving

7:57:03 PM - - Turner - motion

7:57:07 PM - - Jones - second

7:57:28 PM - - Harvatt - site plan approval

7:57:40 PM - - Kelly - motion

7:57:48 PM - - Mascia - second

7:58:26 PM - - Sorenson - next application R.E. Pierson Construction. Mr. Turner and Mr. Kelly stepping down.

7:59:17 PM - - James Pickering, Esquire - note members recusing themselves and that missing member (Haig) will have to listen to the tapes. Advise of his agenda for tonight's hearing.

8:00:14 PM - - Dana Sherwood will be first witness.

8:00:21 PM - - Harvatt - swear in Dana Sherwood (sound expert).

8:00:39 PM - - Pickering - note for record that Orlando was previously sworn.

8:00:52 PM - - Pickering - question Sherwood.

8:01:01 PM - - Sherwood - has never testified before this Board before. Stated her credentials. (Sherwood's CV marked as Exhibit A-6)

8:03:10 PM - - Orlando - Ms. Sappio - environmentalist scientist who has been hired and will give report after Ms. Sherwood's presentation.

8:03:51 PM - - Pickering - continue with questions to Sherwood.

8:04:03 PM - - Sherwood - continue with credentials and advise her involvement on several projects listed on her CV. Work done on those projects is very similar to what she has been asked to do on the applicant's project.

8:09:31 PM - - Sorenson - Board will accept Sherwood as expert.

8:09:51 PM - - Sandman - questions for Sherwood.

8:10:05 PM - - Sherwood - has not been accepted as expert or testified in the

Superior Court of New Jersey. Has not done any projects specifically for a recycling project.

8:10:51 PM - - Pickering - questions to Sherwood.

8:10:58 PM - - Sherwood - noise is not measured mathmatically; decibels are measured in a different method. Discussed several different types of decibels and how they are measured and frequencies. (A-7 - Sherwood's report prepared for applicant.) Refer to said report and discuss. Discuss maximum permissible sound levels applicable to the various decibel types at different times of the day. Review her understanding of the project proposed by applicant. Discuss how her report was prepared - measured existing levels near residential areas at local site and measured existing levels at the Winslow site, then took that information and based on the site plan and determined what noise levels would be at the Ocean View site. Discussed equipment used in determining sound levels and advised that it was calibarated and certified. Refer to Exhibit A-1 and show where equipment was located to determine sound levels in conjunction to location of applicant's equipment. Recording levels were under the maximum acceptable levels. Measurements at Winslow were taken with the various plants running separately and together. Discussed predicted measurements at the Ocean View site using measurements and sound levels from the Winslow site. Determined that if all plants (sand mining, concrete and recycling) were operating at the same time, they could exceed the maximum permissible sound levels. Applicant has agreed to limit the running of the plants so as not to exceed those levels by only running certain plants at the same time and not all three. The construction of a sight level berm could block sound. It is her opinion that if the recycling facility was constructed and operating it would operate at acceptable noise levels. It is also her opinion that if the sandmining and concrete plants operated at the same time, they would operate at acceptable noise levels. She also indicated that the farther away from the origin of the sound, the less the sound is heard. Sound emanating from a recyling facility is no different from the sound from any other type of machinery.

8:44:22 PM - - Sorenson - ask Board members for questions.

8:44:30 PM - - Mascia - is the Winslow site similar in looks to this site and, if not, does that make a difference?

8:45:00 PM - - Sherwood - measured sounds from facility and not the effect of surrounding vegetation and distance. Sound readings were taken at a close distance so barriers around facility were not a consideration.

8:46:37 PM - - Baldwin - if there is nothing around, doesn't sound sound louder with nothing for the sound to bounce off.

8:47:23 PM - - Sherwood - for this analysis took into consideration this geography.

8:48:18 PM - - Pickering - does sound get louder over water.

8:48:31 PM - - Sherwood - depending on circumstances, it can get louder over distance but not always.

8:49:01 PM - - Robertson - people in area will hear increased sound.

8:49:18 PM - - Sherwood - will not be much of an increase in sound.

8:49:52 PM - - Pickering -

8:50:03 PM - - Sherwood -

8:50:50 PM - - Penrose - ask for example of something we would know that could give the Board an idea of sound.

8:51:18 PM - - Toni Sapio - take oath - state credentials - environmental scientist. Hired to represent Board. What does 60 decibels sound like - a general conversation in a normal voice.

8:52:28 PM - - Pickering -

8:53:01 PM - - Sherwood - refer to chart in report showing relative noise

levels and indicate certain examples of decibel levels.

8:54:14 PM - - Sorenson - open to public.

8:54:28 PM - - Sandman - questions for Sherwood.

8:54:43 PM - - Sherwood - refer to A-1 (aerial view) and indicate where sound measuring equipment was located in conjunction with equipment on site. Highest acceptable decibel level for night time is 50 and applicant is agreeable not to operate dredge equipment after 7:00 p.m. Stated in report that Pierson must not commence operations prior to 7:00 a.m. in order to be in compliance with acceptable noise levels. Monitored Ocean View site for approximately 6 days. Get weather information from closest airport, in this case Millville Airport. Discuss how they use weather in their considerations. She indicated that decibel levels on site may be louder than what is acceptable, but that doesn't matter, the decibel level only matters at the property line.

9:07:01 PM - - Pickering - object to document produced by Sandman in questioning of Sherwood that she has never seen before.

9:07:53 PM - - Sandman - looking for an example of something of higher decibels - such as a truck. Continue with questioning of Sherwood.

9:08:28 PM - - Sherwood - respond to Sandman's questioning.

9:15:02 PM - - Pickering - object to Sandman's referral to previous application and that this is a different application.

9:15:41 PM - - Harvatt - this is a different hearing and statements made previously are irrelevant. If made at this hearing, can be referred to. Recommendation to Board that not relevant.

9:16:37 PM - - Sandman - continue with questioning of Sherwood.

9:16:47 PM - - Sherwood - respond to Sandman's questions. Explained again how they determined noise levels at the property lines, based on the geometry of the source. Described what she saw and heard at the Winslow site.

9:19:45 PM - - Sorenson - ask for questions from the Board to this witness; open to public for questions of witness.

9:20:08 PM - - Alma George - take oath - several questions for Sherwood. Closest airports are Woodbine, Ocean City and Pomona.

9:20:52 PM - - Sherwood - Millville is closest location to get certified data.

9:21:17 PM - - George - weather in Millville can be considerably different in Millville than in Dennis Township.

9:22:10 PM - - Sherwood - measure in all types of weather. A lot of factors come into play. Confident that readings were accurate. Calculations based on information received from applicant. Did no calculations with respect to truck noise.

9:27:59 PM - - Jones - question about equipment used to record noise monitoring and chart of same - recorded over time or instantaneous.

9:28:55 PM - - Sherwood - it records the sound levels which are downloaded and there is an electronic record over whatever period it is set to run for.

9:29:33 PM - - Sorenson - any other questions.

9:29:43 PM - - Chris Dumont - take oath - questions for Sherwood.

9:30:05 PM - - Sherwood - a 3 decibel change is noticeable.

9:32:25 PM - - Dumont - also concerned with truck noise, especially early in the morning.

9:32:44 PM - - Sherwood - did not see any trucks from where they were measuring. Typically they like to measure sound levels about 50 feet from the source.

9:34:14 PM - - Sorenson - any other questions.

9:34:23 PM - - Pickering - would like to follow up on several items with Sherwood.

9:34:45 PM - - Sherwood - respond to Pickering. Discussed various standards that are used in New Jersey. Discussed truck traffic and noise. Methods use are generally acceptable.

9:42:17 PM - - Sandman - has follow-up questions.
 9:42:31 PM - - Harvatt - whole report has not been read into record.
 9:43:03 PM - - Sandman - reference margin of error.
 9:43:47 PM - - Harvatt - ask Sherwood to mark on A-1 where she remembers dredge being at time of measurements and initial same.
 9:44:25 PM - - Sandman - continue with questions.
 9:44:35 PM - - Sherwood - respond to Sandman.
 9:47:08 PM - - Sorenson - further questions?
 9:47:23 PM - - Toni Sapo -
 9:47:39 PM - - Sandman - has not retained a sound expert as yet, but may retain one after tonight.
 9:47:57 PM - - Sapo - has a report for the Board, but first has questions on testimony of Sherwood heard tonight. Questions to Sherwood.
 9:48:27 PM - - Sherwood - respond to Sapo's questions.
 9:52:37 PM - - Sapo - it is her understanding that the State will look at the noise level at its peak with all sounds taken into consideration that are occurring on the site - equipment, trucks, etc.
 9:53:39 PM - - Sapo - go through her report.
 9:54:22 PM - - Pickering - address each point of Sapo's report as she goes through it with Sherwood.
 9:59:11 PM - - Orlando -
 9:59:15 PM - - Sherwood -
 10:00:27 PM - - Sandman - how long was Sherwood on site to make observations?
 10:00:52 PM - - Sherwood - was physically on the site 20 minutes.
 10:01:16 PM - - Alma George - has question about wind.
 10:01:34 PM - - Harvatt - only questions directed to Sapiro at this time.
 10:01:51 PM - - Sorenson - any further questions from Board, open to public.
 10:02:28 PM - - Alma George - does wind play a factor standing up wind or down wind?
 10:02:57 PM - - Sapiro - wind direction can play as a factor in calculations.
 10:03:48 PM - - Sandman - does report from Millville show wind speed
 10:04:39 PM - - Sapiro - it gives compass readings
 10:05:28 PM - - Sandman - what is basis for a person speaking being 65 decibels.
 10:05:57 PM - - Sapiro - has measured them.
 10:06:27 PM - - Sorenson - any other questions?
 10:06:47 PM - - Pickering - is methodology used by Ms. Sherwood the standard methodology.
 10:07:17 PM - - Sapiro - based on her testimony she has no reason to doubt, Sherwood, but needs further information concerning the measurement of peak.
 10:09:52 PM - - Dumont -
 10:10:12 PM - - Sapiro -
 10:10:27 PM - - Sorenson - further questions?
 10:11:06 PM - - Sorenson - advise that meeting will not go past 11:00 p.m.
 10:11:26 PM - - David Horner - take oath - traffic expert for applicant.
 10:11:44 PM - - Orlando - introduce Mr. Klein
 10:11:53 PM - - Klein - take oath.
 10:12:04 PM - - Pickering - questions to Horner.
 10:12:11 PM - - Horner - indicate qualifications. Prepared traffic impact study, which was submitted with the application. Explained how traffic study was done and areas looked at. Took traffic counts at peak times at this facility to see what base line condition was, then made projection for what it may look like if application is approved. Talked extensively with Mr. Mitchell as to truck traffic to and from the site and what those trucks were carrying. During peak hours, they determined that there would be 20 additional trips in the morning and 16 in the afternoon in application was approved. They then compared the base line with the projected traffic and found that all of the intersections (6) and driveways (2) in their study operate at a level B or C and increase per projection

show no significant impact and would still operate at a B or C level. Counts were taken in April and June. Calculations were prepared for peak time of year. Based on their counts, existing heavy truck traffic on Route 550 is between 8% and 13% and road is a truck route and should be able to withstand such heavy truck traffic. Review various intersections studied, the time of year studied, the time of day studied, and service level at those times. All studies were conducted on weekdays and not weekends.

10:34:54 PM - - Sorenson - questions of Horner.
 10:35:09 PM - - Mascia - applicant previously said they may operate on an occasional Saturday - how does this effect his report
 10:35:36 PM - - Horner - did not consider Saturdays.
 10:35:56 PM - - Sandman - refer to Horner's report concerning number of truck trips per day. Refer to lease/purchase agreement and amount of material that could be mined.
 10:39:40 PM - - Pickering - applicant now owns the property and the lease/purchase agreement has no effect on this application.
 10:40:05 PM - - Harvatt - has been previously referred to and sees no relevance to lease.
 10:40:42 PM - - Sandman - without referencing lease/purchase agreement, Mr. Pierson made representations in the past about how much could be mined.
 10:41:23 PM - - Harvatt -
 10:41:30 PM - - Sandman - if Pierson took anticipated amount out, would there be more trucks?
 10:41:56 PM - - Horner - based on more material, would be more trucks.
 10:42:19 PM - - Sandman - 200,000 tons - agreeable that that amount equals the current 54 truck trips for material. There are also personal vehicles - are they taken into consideration in report?
 10:44:29 PM - - Horner - employee vehicle numbers are included in traffic trips, but would not be taken into consideration for truck trips.
 10:46:04 PM - - Sandman - continue with traffic figures off and onto the site, including trucks and employee vehicles.
 10:49:24 PM - - Horner - wants to make it clear that the current 54 truck trips and employee personal vehicle trips are included in the report. Adding the trucks for the concrete and recycling and additional employees will increase the number of trips. Vendors, etc. are not included in the report peak numbers and doesn't have information as to the numbers for this type of traffic.
 10:59:40 PM - - Sorenson - ask Sandman how much longer, Board wants to end by 11:00 p.m.
 11:00:04 PM - - Sandman - wants to quit too, but has several more issues. Asks for 5 minutes more.
 11:00:34 PM - - Sandman - continue questions to Horner.
 11:00:43 PM - - Horner - respond to Sandman. Discuss margin of error - anything done manually generally allows for plus or minus 3%; also a margin of error for electronic counters, but not sure of number. Has not spoken to any one but Mr. Mitchell concerning operation of facility and all information has come from him.
 11:03:48 PM - - Sorenson - will resume hearing on this matter at next meeting in December.
 11:04:56 PM - - Harvatt - ask for quiet as Board has other business.
 11:05:12 PM - - Sorenson - Philtrich, LLC Resolution
 11:05:38 PM - - Mascia - motion
 11:05:42 PM - - Penrose - second
 11:06:12 PM - - Sorenson - Driftwood
 11:06:21 PM - - Baldwin - motion
 11:06:37 PM - - Jones - second
 11:06:58 PM - - Sorenson - bills
 11:07:01 PM - - Jones - motion
 11:07:05 PM - - Baldwin - second

11:07:21 PM - - Sorenson - meeting adjourned.
11:07:31 PM - -
11:07:31 PM - - Pause
11:08:15 PM - - Stop Recording

6:58:42 PM - - Dennis Township Zoning Board
December 21, 2011

Attendance: Sorenson, Jones, Mascia, Penrose, Baldwin,
Robertson, Harvatt, Orlando.

APPLICATIONS:

R.E. PIERSON CONSTRUCTION, INC. - Block 224, Lots 68.01, 73,
74.02, 75.03 and 78.04:

Located on Woodbine-Ocean View Road in Ocean View in both the B
(Business) and C (Conservation) Districts. Applicant seeking a
use variance to construct and operate a ready mix concrete
plant and a Class B recycling facility in addition to the
existing mining operation. Applicant also requesting a height
variance where 35 feet is permitted and 82 feet is proposed.

RESOLUTIONS:

ERM DRIFTWOOD, LLC - Block 261, Lot 22:

ARC OF CAPE MAY COUNTY - Block 79, Lots 6 and 7:

6:58:42 PM - - Start Recording
6:58:48 PM - -
6:58:48 PM - -
6:59:29 PM - - Sorenson - call meeting to order
7:00:20 PM - - Roll call
7:00:23 PM - - Sorenson - have 6 members, 1 is absent and 3 have recused
themselves.
7:00:52 PM - - Harvatt - Mr. Haig had indicated that he would be here when he
last spoke with him.
7:01:08 PM - - Pickering - will proceed with members present. Mr. Haig wasn't
here at last meeting and not sure if he listened to tape of
that meeting.
7:01:34 PM - - Harvatt - when he spoke with Haig, it was his intention to do
so.
7:01:44 PM - - Sorenson - first matter Pierson
7:02:18 PM - - James Pickering, Esquire - for applicant. At last hearing
concluded with their traffic expert, Mr. Horner. Mr. Horner is
here tonight for cross-examination.
7:03:16 PM - - Harvatt - as Mr. Kline if he concluded his report.
7:03:29 PM - - Kline - report completed but has several comments/questions.
Asked applicant to comment on addition of heavy vehicles.
7:04:11 PM - - David Horner - (still under oath) - looked at and did analysis
factoring in type of vehicle, percentage of traffic that is
heavy vehicles, whether or not there are enough gaps for trucks
to enter and exit safely, which there are. Feels no turn lanes
are needed for the vehicles. Truck traffic is spread out
during the day and the level of service does not create any
significant impact.
7:06:00 PM - - Kline - ask for comment on increase of traffic and how
calculated.
7:06:57 PM - - Horner - indicated that he already provided testimony on
vehicle traffic and that information is in their report.
Commented on average time for a vehicle to exit their driveway
and believes that if number of trucks increased that time frame
would not be affected that much.
7:08:57 PM - - Kline - has County seen anything regarding traffic.
7:09:09 PM - - Horner - nothing from his office.

7:09:24 PM - - Kline - nothing further.
 7:09:28 PM - - Sorenson - ask Board for questions. None.
 7:09:39 PM - - Sorenson - ask for comments from public.
 7:09:50 PM - - Alma George - take oath - are figures provided just for Pierson, where did those figures come from.
 7:10:55 PM - - Horner - figures came from a study as to what this site can do. His understanding that all truck activity, whether Pierson or other private hauler, was included.
 7:12:08 PM - - George - increase of tonnage of sand mining
 7:12:54 PM - - Horner - they "grow" existing traffic and apply a growth factor from the DOT, which is 2% per year at present. Traffic not currently growing at that rate, but it has been factored in.
 7:14:07 PM - - George -
 7:14:23 PM - - Horner - factored off-season and peak season for growth rates, explained how done using DOT formula
 7:16:25 PM - - George - with regard to wear and tear on public highways - will heavier truck be more detrimental than an empty truck.
 7:16:55 PM - - Horner - yes.
 7:17:00 PM - - Sorenson - ask for further questions from public.
 7:17:17 PM - - Donna Boyer - take oath - was traffic taken into consideration for both Coron Tavern Road and Route 550.
 7:18:20 PM - - Horner - the intersection of those roads was taken into consider on both sides.
 7:18:41 PM - - Sorenson - any other questions from public. None.
 7:19:04 PM - - Mr. Kline was dismissed and permitted to leave at this time since there were not further questions for him.
 7:19:33 PM - - William Walters - take oath.
 7:19:41 PM - - Pickering - questions to Walters.
 7:19:49 PM - - Walters - owner of nearby property, refer to aerial photo and show his property and describe use of each lot. His business has been located at this location for 12 years - marine construction. Has several cranes on the property, one of which is 120 feet. He also lives in the area on Old Goshen Road and in process of building a home in the area as well. Understands what the applicant is asking for in their application. Has seen a concrete crusher work and knows the amount of noise they make and he is not concerned at all with this application being built and has no problem with the application being approved.
 7:23:04 PM - - Sandman - objects to Mr. Walters giving his opinion.
 7:23:27 PM - - Harvatt - Mr. Walters is only giving his opinion.
 7:23:44 PM - - Pickering - continue with questions.
 7:23:49 PM - - Walters - they are good neighbors.
 7:23:59 PM - - Mascia -
 7:24:04 PM - - Walters - building house at end of Bayview. Plans would not change and is about a mile from this site.
 7:24:30 PM - - Penrose -
 7:24:34 PM - - Walters - feels this is the perfect location for this type of business, which is only his opinion.
 7:24:59 PM - - Scott Boyer - take oath - ask Walters about property values.
 7:25:44 PM - - Walters - doesn't think it will affect the values.
 7:25:57 PM - - Boyer -
 7:26:01 PM - - Walters - has been around concrete plants before and the dust is controlled at many by water hoses. Doesn't know if it will be done here, but that is how it is generally done.
 7:26:32 PM - - Sandman - what is your business?
 7:26:42 PM - - Walters - heavy construction.
 7:26:49 PM - - Sandman - questions to Walters
 7:26:55 PM - - Walters - his cranes are not fixed structures and move in and out of the property. Hears the back-up alarms and has heard the trucks dumping materials. Familiar with concrete crushers due to his business.
 7:28:46 PM - - Alma George - is heavy equipment operated on his property.
 7:29:00 PM - - Walter - his business is a yard and equipment always moving

around.

7:29:28 PM - - Pickering - call Mr. Helbig (planner)

7:29:40 PM - - John Helbig - take oath.

7:29:54 PM - - Pickering - questions to Helbig.

7:30:02 PM - - Helbig - state qualifications as a planner. Accepted as an expert.

7:31:00 PM - - Sandman - would like to question Helbig as to his credentials.

7:31:15 PM - - Helbig - not a traffic or noise expert.

7:31:27 PM - - Pickering - questions to Helbig.

7:31:41 PM - - Helbig - confirm with Pickering the variances being requested by the applicant. With respect to the Class B recycling facility - if only seeking this, would not need to be here and would be dealing with the State. Only reason applicant is here is because they are combining the recycling facility with the concrete plant. Testified that applicant is here for a use variance and must meet certain proofs to promote zoning. This is not an inherently beneficial use and the applicant must show that purposes of zoning are promoted. Reviewed proofs - promotes general welfare; maximum recovery of recyclable materials; promotes conservation of open space; provides space for a number of uses; carries out a State policy; site suitability - in business zone and propose to use 15 acres for this project, site is large enough; no need for additional accessory development - already constructed; direct access to a County highway which is designated as a truck route. There will be no disturbance of trees. (A-8 - graphic of Township zoning map prepared by Maser Consultants with respect to draft Master Plan.) Refer to A-8 and show area where this site is located and explain zoning in said area and surrounding area. Contends that based on zoning, this is the most suitable site in the Township for this type of project. Zoning in this area is not changed from the current to the draft Master Plan. (A-9 - graphic showing other ready mix concrete plants in area.) Refer to A-9 and show other ready mix concrete plants in Cape May, Atlantic and Cumberland Counties. Applicant has looked at the area and feels this site is best location for such operation and suits the regional need. Testified that he has looked at site from local and regional aspects. Site is already being used for an industrial type use and proposed uses are complimentary to current use. Space available will accommodate proposed uses. Also, economic benefit to the applicant to run businesses together. Refer to conceptual site plan prepared by Gibson Associates (A-10) (page 4 of set of plans previously submitted to Board) and describe. Refer to current zoning map dated 2010 (A-2) and describe surrounding commercial uses, of which there are many, and no residential uses. Also showed location of campground to the north of the applicant's site. Site is most suitable for proposed uses. Route 550 is already a designated truck route. Describe wetlands in area by referring to map, as well as those deemed "intermediate wetlands." Address negative criteria. Feels any detriments can be minimized - about 650 feet off of Woodbine-Ocean View Road; about 1500 feet from campground. Proposing 15 foot high berm behind recycling facility to shield its view and noise impact. Applicant proposes to minimize noise by not operating all facilities at same time. Has to have Pollution Protection Plan, annually certified by Cape-Atlantic Soil Conservation; constant review by Cape May County Health Department - overseen by many agencies - continued with list of others concerning water quality, air quality, etc. and how applicant proposes to comply. Discussed water quality regarding this site. Referred to A-11 (Pierson's Logan Township property - aerial view). Described Logan

Township site and what applicant has done for the last 10 years to maintain water quality and tests performed with regard to same. In those 10 years, there has never been a problem and Pierson runs a clean operation. Applicant is proposing a substantial buffer on subject property and fill in gaps in existing tree line. Both the design and mitigative strategies will minimize any impact on surrounding properties. Discussed how this application will not have a negative impact on the purpose and intent of the Zoning Ordinance. Read list of permitted uses from the Zoning Ordinance. Uses that are similar to that proposed are permitted. Refer to 1994 Master Plan and refer to section saying that transportation should be promoted; that in mining areas efforts should be made to promote use of said areas.

- 8:14:22 PM - - Pickering - refer to map and describe other sites in area that contain more than 1 use on them and what those uses are.
- 8:16:24 PM - - Helbig - area has many heavy industrial/commercial uses, many of which have a large visual impact. Multiple uses on sites in area are common. Contends that from a site specific that this site is extremely suitable for the uses proposed and that the requested use variance can be granted.
- 8:19:02 PM - - Pickering - question Helbig regarding height variance.
- 8:19:23 PM - - Helbig - refer to graphic (A-12) prepared by Helbig and describe. Permitted maximum height is 35 feet, proposing 82 feet for recycling structure. Proposing to place said structure 650 feet off of Woodbine Ocean View Road, which he calculates to be the best position for this structure to be the least visible. The structure would be 3000 feet from Corson Tavern Road and with the tree line will be virtually invisible from Corson Tavern Road. Also due to trees along Woodbine Ocean View Road it will not be visible until maybe Pierson's first driveway and at that point you would have to be looking directly into the site and there would little to no visibility of the structure even then. Refer to graphic and indicate other high structures in the area and their heights - transmission towers, cell towers, etc. Took photographs from campground property line looking in and prepared visual impact analysis (A-13). Described A-13 - attempts to show distances from various viewing points surrounding site to proposed structure and compares them to existing height structures. Contends that proposed structure would not have visual impact on campground or other surrounding areas.
- 8:29:39 PM - - Pickering - refer to photographs provided in application packet. Photos #4, #5, #20, #21, #22 - asked Helbig to describe what each photo shows, the location from which the photo was taken and its relationship to the subject property.
- 8:33:57 PM - - Helbig - structures shown in photos indicated above are all more visible than what proposed structure will be. Testified that the site is suitable overall and that the height variance will not have as much of an impact as other structures in the area and is well mitigated and will not cause a substantial detriment or impact and can be granted.
- 8:37:18 PM - - Sorenson - ask Board for questions.
- 8:37:26 PM - - Penrose - any other areas presently approved within region in which such a facility could be approved.
- 8:37:48 PM - - Helbig - not aware of any similar type.
- 8:38:17 PM - - Penrose - thinking of Penn Jersey or Cape, also sites in Cape May and Burleigh - doesn't know if sites suitable.
- 8:38:56 PM - - Sorenson - ask public for questions.
- 8:39:05 PM - - James Owen, Sr. on behalf of Outdoor World Campground - take oath - ask Helbig to show on map where plant proposed.
- 8:40:02 PM - - Helbig - responding to Owen's questions - show where plant is proposed on site and area it will cover. Describe how truck

traffic will move on site.

8:41:14 PM - - Owen - Helbig said would not impact on surrounding residences. Campgrounds will have many residents.

8:42:11 PM - - Helbig - feels that distances involved and mitigative will not impact on campgrounds.

8:42:55 PM - - Owen - all operations will not run at same time?

8:43:09 PM - - Helbig -

8:43:14 PM - - Pickering - explain what operations would run and not run with the other operations.

8:43:35 PM - - Owen -

8:43:39 PM - - Helbig - explain to Owen where berm would be located and height of same and why the structure would not be visible from the campground.

8:47:58 PM - - Sorenson - other questions from public

8:48:07 PM - - Walter Kaczor - take oath - question regarding truck traffic (to which Helbig had no answer); concern with height of structure and safety issues.

8:49:51 PM - - Sorenson -

8:49:58 PM - - James Waltz - take oath -

8:50:28 PM - - Helbig - in response to Waltz - Logan Township does have a Class B recycling facility.

8:51:25 PM - - Sorenson -

8:51:30 PM - - Alma George - still sworn - have any environmental impact studies been done by Helbig (no). How does proposed use fit with vibrations and noise.

8:52:37 PM - - Helbig - said he attempted to provide testimony on types of uses in area; mitigative strategies; water quality; traffic. Suspects that there are vibrations, but not sure.

8:54:04 PM - - George - Master Plan mentioned is a draft with references to the Master Plan adopted in 1994. How do proposed uses fit into language stated in the Master Plan?

8:55:46 PM - - Helbig - this is step one of a long road, many other agencies will be involved such as CAFRA, DEP, etc.

8:56:44 PM - - George - what does "reclamation" mean?

8:57:01 PM - - Helbig - believes it means that taking a small portion of a site for a use and leaving the rest of the site as a mine and which can be reclaimed at a later time.

8:59:00 PM - - George - did Helbig speak to Mr. Pierson about other types of business that could go on the site?

8:59:23 PM - - Helbig - no.

8:59:28 PM - - George - comparing this project with Atlantic Electric's property is comparing apples with oranges - we need what Atlantic Electric provides, electric for our homes.

9:00:54 PM - - Helbig - just trying to compare structures and their visibility.

9:01:13 PM - - George - keeps going back to public good and benefit - how will project impact rates?

9:02:07 PM - - Helbig -

9:02:34 PM - - George - refer to graphic of location of concrete plants in Cape May, Cumberland and Atlantic Counties. Where are concrete recycling facilities in same area?

9:03:14 PM - - Helbig - not sure.

9:03:38 PM - - George -

9:03:43 PM - - Helbig - recycling facility is a complimentary operation. A recycling facility requires approvals from other agencies. He suspects that at some time Mr. Pierson did a marketing study regarding the proposed project.

9:06:37 PM - - Sorenson - any other questions?

9:06:45 PM - - Sandman - questions to Helbig.

9:07:04 PM - - Helbig - in response to Sandman: Referring to graphic of other high towers in the area, indicated that the construction of a cell tower does not have to provide the same proofs as applicant does in this application. Applicant is a land use

application that will generate traffic, but he is not a traffic expert. Agrees with traffic engineer that traffic will increase. Confirmed that site has been cleared of vegetation for a long time. Read from Zoning Ordinance, per Sandman's request, as to permitted and prohibited uses, which states that one of the prohibited uses is sand mining in the current ordinance. Indicate that operation will create traffic, noise, dust, and vibrations. Referred to graphic which shows paved area on site. Referred to map showing surrounding properties and other multiple uses. Read from ordinance regarding multiple uses on property and requirement that same be able to be subdivided. Indicate that he had been on campground property while Pierson's operation was running - heard background noise, did not hear trucks in distance or back-up alarms. Not aware of bald eagles on site. If comparing what is on site now with what is being proposed, agrees that sound will be louder. Agrees with Sandman that if some one makes a complaint about noise, that some one (Cape May County Health Department) would have to respond. In response to Sandman's questions regarding traffic, indicated that he was not a traffic engineer and any reference made to same was dependent on the report of the traffic engineer. Agreed with Sandman that if the people in the campground were to hear grinding noises, that would be a detriment to them, however, it is his belief that with mitigative strategies they will not hear noise from the operation. Advise that based on his professional opinion, the project will not be a detriment. Discussed water on site and volatile compounds.

- 9:28:41 PM - - Sandman - summarize that what Helbig is saying is that what the applicant is asking for and the taking of comparisons of what is there and what will be there and how it will benefit the Township and promote general welfare.
- 9:35:00 PM - - Helbig - read section from land use book, per Sandman's request.
- 9:36:33 PM - - Pickering - object, no relevance
- 9:36:49 PM - - Sandman - relevant
- 9:37:09 PM - - Harvatt - are questions regarding economic output really relevant? It's the applicant's money and if he wants to spend it, he can.
- 9:38:03 PM - - Sandman - it was testified that the project will be a ratable.
- 9:38:18 PM - - Helbig - yes. It has a foundation.
- 9:38:36 PM - - Sandman - questions regarding Helbig's testimony regarding the negative criteria.
- 9:39:06 PM - - Helbig - last full Master Plan was adopted in 1994.
- 9:39:36 PM - - Sorenson - call from 5 minute recess.
- 9:39:45 PM - - Pause
- 9:46:51 PM - - Resume
- 9:46:52 PM - - Pause
- 9:46:55 PM - - Resume
- 9:47:03 PM - - Sorenson - call meeting back to order.
- 9:47:51 PM - - Sandman - continue with questions to Helbig regarding the negative criteria. Information was given based on the 1994 Master Plan, which specifically prohibited such an operation. Helbig believes that no changes to the prohibitions were made, but exceptions made for existing operations.
- 9:50:07 PM - - Pickering - only the Planning Board deals with the Master Plan.
- 9:50:27 PM - - Harvatt - objection noted.
- 9:51:00 PM - - Sandman - the applicant's belief and that of Mr. Helbig is that if you can't see the structure, it's not a bad thing.
- 9:51:47 PM - - Sorenson - any other questions?
- 9:51:54 PM - - Pickering - question to Helbig about pre-existing non-conforming uses and that this operation falls under that provision.

9:52:33 PM - - Helbig - agree with Pickering.
 9:52:39 PM - - Orlando -
 9:52:52 PM - - Helbig - his understanding that if just a recycling center is sought, it isn't necessary, but recommended that municipal approval be sought.
 9:54:21 PM - - Pickering - cite case law that as a matter of law, it is pre-emptive.
 9:55:01 PM - - Orlando - is it Helbig's opinion that no variance would be needed for a recycling facility?
 9:55:24 PM - - Helbig - yes.
 9:55:28 PM - - Orlando - questions to Helbig
 9:55:48 PM - - Helbig - responses to Orlando.
 9:56:14 PM - - Sorenson -
 9:56:17 PM - - Pickering - would like to move into evidence Exhibits A-1 through A-13. Application presentation is complete.
 9:57:09 PM - - Harvatt - procedure wise he thinks we should let Mr. Sandman begin his presentation and see how far we get tonight.
 9:57:48 PM - - Sandman - call Mr. James Owen
 9:57:58 PM - - Owen - still under oath.
 9:58:04 PM - - Sandman - questions to Owen.
 9:58:09 PM - - Owen - manager at Outdoor World Campground. Been there many years, year round. Can hear a lot of machinery, slamming tailgates, beeping when trucks go in reverse. Noise starts about 6:30 a.m.; campers complain about the noise and some have gone to other campgrounds because of the noise.
 9:59:49 PM - - Harvatt - if testifying as to what some one else tells him, that person should be there to testify, however, can provide a synopsis.
 10:00:44 PM - - Sandman -
 10:00:47 PM - - Owen - people have complained to him, to security. He has heard the noises himself and some times can feel something like tremors. Noise level that is there should not be allowed that early in the morning. Try to be good neighbors and not complain.
 10:02:13 PM - - Sorenson - questions for Owens.
 10:02:19 PM - - Mascia - it was testified to previously that the loudness of the noise is equal to that of a normal speaking voice.
 10:02:52 PM - - Owen - what he hears is much louder than Ms. Mascia's voice.
 10:03:07 PM - - Jones - isn't a campground generally noisy?
 10:03:18 PM - - Owen - people sit around and relax in the morning, there is some noise, but they have quiet hour after 10:00 p.m.
 10:03:57 PM - - Sorenson - further questions?
 10:04:05 PM - - Pickering -
 10:04:11 PM - - Owens - business is rental driven, have rental cabins, people pay to stay there and it is not their principal place of residence, but a seasonal place of residence for some. In compliance with Township Ordinance as to open season.
 10:06:15 PM - - Sandman -
 10:06:27 PM - - Barbara Allen Woolley Dillon - take oath - state qualifications. Licensed as a professional planner since 1998. Accepted as expert by the Board.
 10:08:16 PM - - Sandman - questions to Woolley-Dillon.
 10:08:38 PM - - Woolley-Dillon - advise what documents she has reviewed in preparation for testifying at this hearing. Discuss positive criteria requirements. Gave her opinion as to why the applicant has failed to establish the required positive criteria and special reasons. Respectfully disagrees with Mr. Helbig's opinion - pre-existing non-conforming uses should be brought in to compliance as soon as possible; not only is that not being done, but the applicant was to add 2 additional heavy industrial uses. Traffic will be significantly be increased and impact greatly on the surrounding area. Feels what is being proposed will be environmentally detrimental to the site.

10:15:59 PM - - Pickering - object - environmental issues being discussed and the expert is a planner not an environmental expert.

10:16:49 PM - - Harvatt -

10:16:52 PM - - Sandman - her opinion.

10:17:10 PM - - Pickering - wants her to refrain from testifying outside her scope of expertise.

10:17:25 PM - - Harvatt - keep to facts.

10:17:33 PM - - Sandman - any environmental experience

10:17:47 PM - - Woolley-Dillon - state courses taken with regard to environmental issues.

10:18:16 PM - - Harvatt - will only accept testimony as planner

10:18:36 PM - - Sandman - continue with questions to Woolley-Dillon

10:18:47 PM - - Woolley-Dillon - compare 1994 Master Plan requirements and those of the current draft Master Plan. Read from same regarding uses permitted and zoning in the area in question and the permitted use of "light" industrial. Was never changed to allow "heavy" industrial uses. Continue to read regarding uses of mining areas and reclamation of those areas. The Master Plan and the re-examination do not contain anything about "heavy" industrial uses and to grant the variance would go against the grain. Continue to read regarding the promotion of such residential things as campgrounds. Does not believe that special reasons have not been met. Continue to read from the Master Plan regarding habitat destruction and the avoidance of same. The Township and the State have both documented information on the habitats and endangered species.

10:29:07 PM - - Sandman -

10:29:16 PM - - Woolley-Dillon -

10:30:45 PM - - Sandman -

10:30:53 PM - - Woolley-Dillon - her opinion as to Mr. Helbig's opinion is that she does not agree with him. Doesn't believe that he has address why the Board should grant the variance. She believes that Mr. Helbig is pushing site suitability for economic reasons. She believes the site is not suitable.

10:34:51 PM - - Sandman - questions regarding traffic

10:35:03 PM - - Woolley-Dillon -

10:35:16 PM - - Pickering - objection

10:35:31 PM - - Woolley-Dillon - there will be a substantial negative impact of truck traffic. Discuss height variance - exceeds two times what is allowed by the Township; it has been ruled that cell towers are inherently beneficial uses and trees are cleared for reception purposes. Questions impact of an 82 foot high structure. Reviewed negative impacts - increased truck traffic, noise, etc.

10:40:59 PM - - Pickering - objection

10:41:05 PM - - Harvatt - ask why Woolley-Dillon is saying what she does when an applicant comes before her Board - suggests taking the "I" out of her testimony.

10:41:56 PM - - Woolley-Dillon -

10:42:03 PM - - Sandman -

10:42:09 PM - - Woolley - Dillon - the preferred would be to allow the pre-existing non-conforming use to continue and not to allow the new uses.

10:43:02 PM - - Waltz - is adding more paved areas is beneficial

10:43:54 PM - - Woolley-Dillon - adding pave areas to keep the dust down is helpful.

10:44:14 PM - - Pickering - questions to Woolley-Dillon - the very fact that applicant is before the Board says that the applicant doesn't meet the Ordinance. Isn't that right?

10:45:14 PM - - Woolley-Dillon - that is correct.

10:45:21 PM - - Pickering - applicant is asking for a separate height variance and one for multiple uses

10:46:37 PM - - Woolley-Dillon - agrees with Pickering.

10:46:47 PM - - Pickering - discussion with Woolley-Dillon regarding the comparisons in the 1994 Master Plan and the current draft with respect to the zoning area in question. Also discussed habitats and the Great Cedar Swamp, and reclamation. Pickering read from current case law regarding the proof of special reasons and ways to show same.
 10:57:22 PM - - Sorenson - it is almost 11:00 p.m. and the Board has other business.
 10:57:41 PM - - Harvatt - there are other people who may want to speak.
 10:57:59 PM - - Pickering - indicate that he is nearly done. If can get a vote tonight, will be done now.
 10:58:35 PM - - Harvatt - as a general rule end at 11:00 p.m.
 10:59:15 PM - - Sandman - he is done with this witness. He then decided that he is not done.
 10:59:46 PM - - Harvatt - Chairman's call.
 10:59:55 PM - - Sorenson - poll Board - decision to end meeting tonight. Matter will continue on January 25, 2012 at 7:00 p.m.
 11:00:47 PM - - Sorenson - ERM Resolution
 11:00:55 PM - - Jones - Motion
 11:00:59 PM - - Mascia - second
 11:01:28 PM - - Sorenson - ARC of Cape May County - Resolution
 Jones - motion
 11:01:47 PM - - Baldwin - second
 11:02:09 PM - - Sorenson - still on record, please take conversations outside.
 11:02:22 PM - - Sorenson - bills
 11:02:27 PM - - Jones - Motion
 11:02:31 PM - - Penrose - second
 11:02:47 PM - - Sorenson - adjourn meeting.
 11:02:59 PM - - Stop Recording

6:57:20 PM - - Dennis Township Zoning Board of Adjustment
January 25, 2012

Attendance: Sorenson, Germanio, Penrose, Jones, Butto, Baldwin,
Robertson, Kelly, Daniels, Harvatt, Orlando

Applications:

PAGLIEI, JOHN A., JR. - Block 262, Lot 22 - Located on Route 9
in Clermont. Applicant seeking front and rear yard set back
variances to construct a 326 square foot open deck on an
existing single family dwelling.

R.E. PIERSON CONSTRUCTION, INC. - Block 224, Lots 68.01, 73,
74.02, 75.03 and 78.04.

RESOLUTIONS:

Annual Report

Professional Services Contracts - Harvatt and Orlando

6:57:20 PM - - Start Recording
6:57:31 PM - - Sorenson - call meeting to order.
6:58:18 PM - - Roll call.
6:58:24 PM - - Sorenson - changing order of applications.
6:58:40 PM - - Sandman - re: Pierson - represents objectors in application.
Has been recent developpe which he feels significant. The County
Board of Health has done some noise monitoring. He received a
copy of the report yesterday and feels it will be helpful to
this Board. Person who prepared report is on vacation and he
spoke with her supervisor to see if she would be available to
attend meeting. Mr. Pickering has objected, which is his right.
He spoke with Mr. Pickering earlier today and Sandman is
requesting adjournment until next month.
7:00:35 PM - - Pickering - not sure document is relevant to the Board and
willing to bring client back in to explain. Understands that
Sandman feels appropriate. Objects to introduction of document
but consents to adjournment of application.
7:01:26 PM - - Harvatt - Board doesn't want to waste time and money, thinks it
is smart to continue matter and for parties to exchange
documents and be ready to proceed next month. His
recommendation that Board continue matter until next month.
7:03:24 PM - - Sorenson - ask Board for questions.
7:03:31 PM - - Butto -
7:03:38 PM - - Harvatt - Township reviewed and commented on noise.
7:03:58 PM - - Sorenson - ask for motion
7:04:03 PM - - Baldwin - motion to continue
7:04:09 PM - - Daniels - second
7:04:48 PM - - Harvatt - matter will be continued to February meeting at 7:00
p.m.
7:05:49 PM - - Sorenson - next application Pagliei.
7:06:14 PM - - Ellen Nicholson Byrne, Esquire - attorney for applicant. Ask to
have John Pagliei sworn in.
7:06:59 PM - - John Pagliei - take oath.
7:07:08 PM - - Byrne - questions to applicant.
7:07:17 PM - - Pagliei - house is on 1.2 acres and little less than 900 square
feet; weekend home; would like to eventually retire here. Had
been on market for quite a while before he purchased and was
purchased as a short sale. Has 1 bedroom. Not seeking to add
any interior space. Would like to add an outdoor shower and a
deck. Have moved front door to side of building for privacy

reasons. Will not be a roof on the deck, nothing enclosed. Not adding any parking, currently parking for 2 vehicles. Plan on improving landscaping. There is a fence encroaching on adjoining property, which has been removed and all will be brought into compliance.

7:11:46 PM - - Byrne - asked to enter letter into evidence.

7:12:07 PM - - Harvatt - Board does not admit letter into evidence, may be placed in file.

7:12:30 PM - - Bryne - continue with questions to applicant.

7:12:40 PM - - Pagliei - has contacted adjoining property owners to try and acquire additional property, but no responses or offers.

7:13:22 PM - - Butto -

7:13:27 PM - - Pagliei - will be obstructed view between proposed deck and neighbors.

7:13:53 PM - - Harvatt - swear in Orlando.

7:14:02 PM - - Orlando - take oath. Has no questions of applicant.

7:14:18 PM - - Sorenson - open to public.

7:14:31 PM - - James Waltz - take oath - what will elevation of deck be

7:15:03 PM - - Pagliei - not sure of elevation, but will be mostly ground level.

7:15:29 PM - - Waltz - if at ground level, considered a patio.

7:15:42 PM - - Orlando - explained patio and deck.

7:16:18 PM - - Robert Green - take oath - has appeared before Dennis Township Planning Board previously, stated qualifications as professional engineer. Accepted as professional.

7:17:41 PM - - Byrne - questions to Green.

7:17:49 PM - - Green - deck will be about 22 inches above grade, since over 18 inches above grade it is considered a deck and not a patio; will be several steps down to grade. Will be an open deck with a trellis over part of it. Referred to plan (A-1) and described. Proposed deck will conform to same set backs as house, existing non-conforming. Because of triangular shape of lot, asking for a hardship variance as there is no other place to put the deck. Described surrounding properties with decks - this will be similar and fits with the character of the neighborhood. Reviewed positive and negative criteria. Three other non-conformities - lot size, front yard, side yard, rear yard - all of which exist with the house and no non-conformity is being expanded.

7:22:08 PM - - Sorenson - ask Board for questions - none.

7:22:18 PM - - Orlando - engineer's report. (Green confirmed that deck/trellis will be about 17 1/2 feet high.)

7:26:42 PM - - Pagliei - in response to question about walkway from deck said it would be crushed cement.

7:27:13 PM - - Orlando - continue with engineer's report.

7:27:55 PM - - Sorenson -

7:28:06 PM - - Green - will comply with all of Mr. Orlando's suggestions.

7:28:16 PM - - Sorenson - ask Board for questions, none. Open to public, none - close public portion.

7:28:37 PM - - Harvatt - time for Board of discuss.

7:28:46 PM - - Butto - no problem, had asked about wetlands because he is familiar with the area and also because he does landscaping.

7:29:16 PM - - Sorenson -

7:29:21 PM - - Penrose - believes will give some living area.

7:29:38 PM - - Harvatt - review variances needed with Orlando

7:29:56 PM - - Orlando - believes only need 2 - front yard and rear yard

7:30:15 PM - - Harvatt - rear

7:30:26 PM - - Butto - motion

7:30:29 PM - - Jones - second

7:30:51 PM - - Sorenson - rear

7:30:55 PM - - Jones - motion

7:31:02 PM - - Germanio - second

7:31:33 PM - - Sorenson - minutes of 11 and 12/11

7:31:54 PM - - Jones - motion
7:32:00 PM - - _____ - second
7:32:27 PM - - Sorenson - annual report
7:32:43 PM - - Kelly - motion
7:32:47 PM - - Jones - second
7:33:13 PM - - Sorenson - Professional service - Harvatt
7:33:25 PM - - motion and second
7:33:51 PM - - Sorenson - Orlando
7:33:56 PM - - Butto - hasn't had a chance to look at Orlando's proposal
7:34:53 PM - - Sorenson
7:34:58 PM - - Butto - motion
7:35:06 PM - - Kelly - second
7:35:26 PM - - Sorenson
7:35:29 PM - - Butto - bills
7:35:33 PM - - second
7:35:50 PM - - Sorenson - adjourn meeting.
7:36:04 PM - - Pause
7:40:38 PM - - Stop Recording

6:57:47 PM - - Dennis Township Zoning Board of Adjustment
February 22, 2012

Attendance: Sorenson, Daniels, Butto, Penrose, Baldwin,
Harvatt, Orlando

Applications:

R.E. PIERSON CONSTRUCTION, INC. - Block 224, Lots 68.01, 73,
74.02, 75.03 and 78.04: Located on Woodbine-Ocean View Road in
Ocean View in both the B (Business) and C (Conservation)
Districts. Applicant is seeking a use variance to construct
and operate a ready mix concrete plant and a Class B recycling
facility in addition to the existing mining operation.
Applicant is also requesting a height variance where 35 feet is
permitted and 82 feet is proposed.

Resolution:

JOHN A. PAGLIEI, JR. - Block 262, Lot 22

6:57:47 PM - - Start Recording

6:57:53 PM - -

6:57:57 PM - -

6:58:25 PM - - Sorenson - call meeting to order.

6:59:20 PM - - Roll call.

6:59:25 PM - - Sorenson - first matter Pierson - will try to pick up where
left off last month

6:59:40 PM - - Colin Bell, Esquire for Mr. Sandman.

6:59:50 PM - - James Pickering - note that 5 members present and missing 2
board members. Will try to get through all testimony tonight
and come back next month to vote.

7:00:28 PM - - Harvatt - 2 members are absent due to other obligations, they
will listen to tapes

7:00:50 PM - - Pickering - just going on record not willing to go to vote
tonight.

7:01:02 PM - - Bell - questions to Woolley-Dillon.

7:01:21 PM - - Pickering - object to first question regarding "need".

7:01:37 PM - - Harvatt

7:01:40 PM - - Bell - has additional date, will take 2 minutes.

7:01:51 PM - - Harvatt - Board will hear, because there was testimony about
other facilities in County.

7:02:21 PM - - Bell - questions to Woolley-Dillon.

7:02:35 PM - - Woolley-Dillon -

7:03:16 PM - - Woolley-Dillon - refer to statistics regarding regional need
and inherently beneficial unit - 84% capacity - so need is not
there.

7:04:13 PM - - Bell - ask to mark letter from CMC Utilities Authority with
spreadsheet attached dated 4/17/08 as an exhibit - just marking
spreadsheet after discussion.

7:05:21 PM - - Pickering - wants objection noted.

7:05:50 PM - - Bell - continue with questions

7:05:56 PM - - Woolley-Dillon - considered noise when preparing report;
advised what documents she looked at in making her
determination.

7:06:49 PM - - Bell - will be calling person who prepared report as next
witness.

7:07:03 PM - - Woolley-Dillon -

7:07:30 PM - - Pickering - objection

7:07:35 PM - - Bell - rephrase question

7:07:46 PM - - Woolley-Dillon - explain how she used the CMC report to make
her determinations and that site is in violation of the
Township Ordinance. Does not believe that applicant has met

the burden of proof; does not provide a beneficial use.

7:10:08 PM - - Pickering - Woolley-Dillon is reviewing opinions given at last meeting and we don't need to hear them all over again, as he remembers, her testimony was nearly done at last meeting.

7:10:54 PM - - Harvatt - refer to notes and believes she had given testimony

7:11:20 PM - - Bell

7:11:23 PM - - Woolley-Dillon - discuss how she believes applicant's plan is in conflict with the Township's Master Plan.

7:12:06 PM - - Pickering -

7:12:12 PM - - Sal Perrillo, Esquire - represents Outdoor World - introduce himself and understands late to the party but was just retained and asked for permission to question Woolley-Dillon and present several of his own witnesses.

7:13:18 PM - - Sorenson - Board in agreement.

7:13:24 PM - - Perrillo - questions to Woolley-Dillon.

7:13:42 PM - - Woolley-Dillon - application is in most restrictive zone in the Township; are seeking height variance; seeking use variance for multiple uses and non-conforming uses. Review requirements for D variances and enhanced burdens. Municipality had option of allowing such uses in the B zone but did not and does not fit in with Township's vision, takes step backward from direction Township wants to go in.

7:18:45 PM - - Pickering - questions to Woolley-Dillon -

7:19:04 PM - - Woolley-Dillon - confirm that job of Zoning Board is to consider the granting of use variances; there are 5 other Class B recycling facilities in County, only 3 of which accept concrete and asphalt. Feels that special need is not satisfied because of the capacity figures. Agrees that there is free competition of businesses and it is up to a business owner to decide whether or not to get into a business, but this applicant needs approvals from other authorities as well. Gave opinions at last meeting on 12/21/11 and supplemented opinions afterward. Confirm that she shared her outline with Mr. Perrillo and has not spoken with anyone at Cape May County, was not authorized to do so by her client and felt no need to call.

7:25:54 PM - - Sorenson - ask for questions of this witness.

7:26:05 PM - - Bell -

7:26:14 PM - - Woolley-Dillon - during 2007 peak capacity was 29%.

7:27:12 PM - - Butto - if you were a contractor working in say SIC, running trucks taking concrete out of town, where would you go

7:27:51 PM - - Woolley-Dillon - to closest location.

7:28:01 PM - - Butto - if this facility is not there, not beneficial, longer runs add cost to contractor and customer, trying to understand why there is not a benefit.

7:28:59 PM - - Woolley -Dillon - benefit has to be to the public, not the property owner.

7:29:31 PM - - Butto - if closest place is Action Supply and they charge a surcharge to come extra mile into this Township, isn't this beneficial.

7:30:34 PM - - Public member

7:30:38 PM - - Harvatt - Board members first

7:30:52 PM - - Perrillo - applicant has a number of burdens, one of which is to prove special reasons

7:31:24 PM - - Woolley-Dillon - respond to Perrillo - applicant has additional burdens that need to be met;

7:32:29 PM - - Pickering - object, have gone over Perrillo's questions previously.

7:33:08 PM - - Bell - concludes Woolley-Dillon's testimony. Next witness Honey McLaughlin-Pron.

7:33:56 PM - - Harvatt - swear in Pron.

7:34:04 PM - - Bell - questions to Pron.

7:34:10 PM - - Pron - employed by CMC Health Dept. as Registered Environmental Specialist for past 5 1/2 years; explain what her job entails.

Obtained certification in 2006 for noise control and is re-certified every 2 years through Rutgers, which is a State program. Trained to use decibel meter. Discussed types of equipment and requirements of same to meet standards. Has previously testified. Advised her educational experience. Has been involved in 20 separate complaints regarding noise investigations.

- 7:37:47 PM - - Bell - ask to accept as expert.
- 7:37:54 PM - - Pickering - object to Pron as an expert.
- 7:38:22 PM - - Harvatt - can testify as to investigation and what she found.
- 7:38:47 PM - - Bell - questions to Pron.
- 7:38:53 PM - - Pron - respond to Bell - received noise complaint regarding Pierson property; prepared report on that complaint dated 1/10/12. Marked O-8 (investigation report) and O-9 (document referring to O-8). Complaint was received on 1/3/12 as to a concern with noise on applicant's property. She provided contact information to that person, who called her on 1/10/12 saying that operations on property were going on and asked her to come out, which she did. Reviewed what she has to do in the investigation - take sound levels from several locations and compare. Readings were found to be in violation of the State Code. Readings were taken between 7:00 a.m. and 10:00 p.m. and were in excess of what is permissible during that time period. Readings cannot be taken if winds exceed 12 miles per hour. Verified that her equipment had been calibrated pursuant to State law. Total sound readings on site are compared to background, which in this case were taken behind a building, which then are applied to calculations to determine noise reading levels. The highest readings were obtained when a piece of excavating equipment was operating, dump trucks moving, bed of dump trucks slamming shut causing reading to jump to 78 decibels. Explained how readings were obtained - done at 1 minute intervals using the highest and lowest readings and comparing the numbers. Took readings in several locations; sound was constant from mining operations, but intermittent from excavators and dump trucks. Concluded that there was a noise violation. It was decided not to cite Pierson with a violation at that time since the campground was not operating.
- 7:51:11 PM - - Pickering - questions to Pron.
- 7:51:20 PM - - Pron - certain periods of time were in conformity with levels of noise; discussed how spikes in noise were included in the readings.
- 7:53:09 PM - - Pickering - records he requested from CMC referred to a map, he never received that map, asked to see same.
- 7:53:44 PM - - Bell - advises that he has not seen the map either.
- 7:53:55 PM - - Pickering - continue with questions to Pron
- 7:54:15 PM - - Pron - was not subpoenaed; was asked to be here by Mr. Sandman's office on behalf of the campground (his client); being paid by CMC to be here tonight.
- 7:55:21 PM - - Pickering - so basically, the objector is getting an expert on the free dime of taxpayers.
- 7:55:48 PM - - Pickering - continue with questioning.
- 7:55:58 PM - - Pron - has been involved in about 20 complaints; has done about 60 to 70 investigations. If applicant made a complaint about noise coming for a facility, she would come out and investigate for them as well. She was aware of the ongoing application, being advise of same by letter from Mr. Sandman. Jim Owen from Outdoor World was the person making the complaint. Does not recall anyone else in the past making a complaint about noise from the Pierson property. Received call from Mr. Owen first thing in morning, discussed with her supervisor, and was on the site at approximately 9:15 - 9:30 a.m. Went to Outdoor World,

met there by Jim Owen, Owen was present for some of the testing; as far as she knows, she was on the Outdoor World side of the Pierson property taking her readings. Discussed other types of noises heard - back-up beepers, birds chirping, airplane

8:02:23 PM - - Pickering - ask for short recess.
8:02:30 PM - - Pause
8:03:12 PM - - Resume
8:03:13 PM - - Pause
8:03:22 PM - - Resume
8:03:27 PM - - Harvatt - advise that Mr. Jones has arrived, conferenced matter, have decided that Mr. Jones will only have to listen to portion meeting that he missed on tape.
8:04:16 PM - - Pickering - continue with questioning of Pron.
8:04:25 PM - - Pron - did not take any readings on the Pierson side of the property; last readings were at 10:01 a.m. and left at about 11:00 a.m.; last hour was spent speaking with Mr. Owen. Did not visit the Pierson property because she had decided not to issue a violation notice because the campground was closed. Part of determination was due to the fact that the campground is not a residential property that was open. If the campground was open, she would have considered it residential. Excavator was close to the perimeter of the pond. Did not consider asking Pierson to shut down the operation - did not think it was a reasonable request, although she could have asked them to do so. Doesn't know how much noise there would have been with only certain equipment operating.
8:10:25 PM - - Perrillo - questions to Pron.
8:10:31 PM - - Pron - took about 30 readings; 4 readings below 65 decibels and rest over 65 and between 65.1 and 78.
8:11:21 PM - - Pickering - questions
8:11:28 PM - - Pron - only time she took readings, did a follow-up after that when no equipment was operating. Follow-up was done on own initiative; Mr. Owen was advised. For follow-up she arrived about 6:30 a.m. and was there for about an hour, but no equipment was started up; did not prepare a report, wrote down readings, was no sound, did not complete investigation or make a report. No documentation exists as to the readings from the follow-up visit. Assumed that Pierson was not operating that day, did not go to Pierson and ask.
8:16:55 PM - - Sorenson - Board members.
8:17:05 PM - - Butto - isn't there a difference in sound between 75 degrees in May and 36 degrees in January with no wind.
8:18:00 PM - - Pron - couldn't tell him.
8:18:09 PM - - Sorenson - open to public for questions to this witness. None.
8:18:22 PM - - Orlando - is there any difference in sound travel between summer and winter
8:18:43 PM - - Pron - assumes there may be, but can't testify to that.
8:19:17 PM - - Sorenson -
8:19:27 PM - - Bell - nothing further at this time, only needs to move exhibits into evidence.
8:19:49 PM - - Harvatt - release Pron.
8:20:02 PM - - Sorenson - call for 5 minute recess.
8:20:10 PM - - Pause
8:27:24 PM - - Resume
8:27:26 PM - - Pause
8:27:27 PM - - Resume
8:27:28 PM - - Pause
8:27:28 PM - - Resume
8:27:29 PM - - Pause
8:27:31 PM - - Resume
8:27:32 PM - - Pause
8:27:35 PM - - Resume

8:27:44 PM - - Perrillo - would like to call James Owen.
 8:27:59 PM - - Pickering - Owen has testified as witness for another objector.
 8:28:14 PM - - James Owen - take oath
 8:28:25 PM - - Perrillo - questions to Owen
 8:28:31 PM - - Owen - works as Facilities Manager for Outdoor World. Refer to OW-1 which is a site map as to all facilities on property. Have 480 plus sites; waterpark; game rooms; pool; miniature gold course, fishing; laundry; jacuzzi, in addition to others. OW-2 refers to road between Outdoor World and Pierson. Testified that he took photo and was standing in road. Purpose of photo is to show that berm testified to by applicant does not exist. Also said that 82 foot high structure will be visible from Outdoor World property. It is his experience that when it is really cold Pierson doesn't operate the machinery. The amount of noise from the Pierson property has increased in the 4 years he has worked for Outdoor World, especially since they moved the dredge closer. Outdoor World likes to run a quiet operation with a family atmosphere, their clientele are not partiers.
 8:35:35 PM - - Pickering - questions to Owen.
 8:35:45 PM - - Owen - have 480 plus sites, 481, 482, but not 500, never counted. In charge of operations, building maintenance, grounds maintenance as part of his job. Some camp sites are primitive, others have electric and water. Has never looked at campground license issued by Township. Pickering advised that license permits 452 sites. Never spoke with Pierson to complaint about noise, assumed they had to live with the noise, never realized that the County could investigate. Have been good neighbors to Pierson and Pierson has been a good neighbor as well. There is no berm on the north side of the property.
 8:41:17 PM - - Pickering - refer to exhibit marked Pierson 2 (aerial photo of site) - to show approximate site where Owen took photo regarding berm.
 8:42:23 PM - - Owen - confirmed location with Pickering and that photo was taken from location looking south. Discussed drop in elevation of about 12 feet between Outdoor World's property and Pierson's - does not consider the drop in elevation to be a berm. Owen testified that even looking in a different direction from location where photo was taken you can see the entire mining site.
 8:45:31 PM - - Perrillo - questions to Owen referring to A-2.
 8:45:54 PM - - Owen - refer to A-2 and show where campsites end; location of lake on Outdoor World's property, as well as other facilities.
 8:46:40 PM - - Bell - questions to Bell.
 8:46:49 PM - - Owen - campground has a "quiet time" from 10:00 p.m. to 9:00 a.m. Do run trucks to pick up trash, as well as golf carts.
 8:47:38 PM - - Jones - at height of season, how many sites filled.
 8:47:50 PM - - Owen - booked to the max from Memorial Day to Labor Day.
 8:48:14 PM - - Daniels - questions to Owen.
 8:48:24 PM - - Owen - there are probably days that Pierson doesn't run their operation, but not sure. When they are operating noise starts between 6:00 and 6:30 a.m.
 8:49:07 PM - - Butto - questions to Owen
 8:49:13 PM - - Owen - some customers complain but put up with noise because they have the best facility around. During January through April, no one in campground except for a few days per week.
 8:50:28 PM - - Perrillo -
 8:50:35 PM - - Owen -
 8:50:38 PM - - Jones - questions to Owen.
 8:50:55 PM - - Owen - Resorts Campground is also in area down the road.
 8:51:16 PM - - Pickering -
 8:51:21 PM - - Owens - all sites are booked during the week as well as weekends.

8:52:09 PM - - Sorenson - ask public for questions.
 8:52:17 PM - - Alma George - take oath - questions to Owen.
 8:52:35 PM - - Owen - open April full time until January, from January through April open on weekends. Certain areas of campground shut down in off-season. Certain camp sites and cabins remain open year round. Their operation is member driven and come from all over.
 8:54:17 PM - - Sorenson -
 8:54:23 PM - - Pickering -
 8:54:27 PM - - Owen - new owners took over last year.
 8:54:42 PM - - Perrillo - call next witness.
 8:54:50 PM - - Noram Dotti - take oath
 8:55:11 PM - - Perrillo - questions to Dotti
 8:55:16 PM - - Dotti - acoustical engineer - explain qualifications and clientele; has done training courses; has testified as expert witness with acoustics. Has been on a State committee that develops noise regulations for about 8 years. Has experience with sand mining operations, cement operations and recycling operations and their related noises.
 9:00:16 PM - - Pickering - going to object - has never received a report, his client has paid for expert to be here, as well as Board's expert, so doesn't believe Mr. Dotti should be permitted to offer expert testimony this evening.
 9:01:18 PM - - Harvatt - Mr. Pickering is correct as to the expert testimony.
 9:01:45 PM - - Perrillo - his client has realized that noise is an issue and not trying to come in the back door. There is no check list for objectors to follow. Mr. Dotti is a foremost expert in New Jersey. He has inspected the site, hasn't done any readings; has had an opportunity to review report of Board's expert and found discrepancies; has also reviewed County's report. Believes it will be unfair to not allow him to testify.
 9:04:01 PM - - Harvatt - can testify as to the applicant's expert's report and deficiencies; that he went to the site and his observations; and to the County's report by Ms. Pron.
 9:04:54 PM - - Perrillo - feels Mr. Dotti can answer questions not previously answered.
 9:05:19 PM - - Pickering - renew objection.
 9:05:26 PM - - Orlando - has concern that without Board's expert here to here Dotti's testimony as to discrepancies cannot be responded to and he feels he cannot fill her in sufficiently.
 9:06:16 PM - - Perrillo - entitled to hear testimony. If Board feels it necessary for the Board's expert to hear Dotti's testimony, let him testify, let the expert listen to the tape and if need be, Mr. Dotti can come back to answer questions.
 9:07:37 PM - - Harvatt - will his client pay for this.
 9:07:51 PM - - Perrillo - doesn't have authority to say that.
 9:08:01 PM - - Harvatt - had hoped to bring matter to a conclusion tonight, doesn't look like that is going to happen. Board may have questions, Board Engineer is uncomfortable; Board took extraordinary steps of hiring an expert; not sure how to do this.
 9:09:24 PM - - Perrillo - understands Board's positions, but need to look at the other side as having some one to present evidence who is so well qualified. Proposes to let Dotti testify and then decide whether he needs to come back. Alternative is not letting him present testimony and that would be unfair.
 9:10:48 PM - - Pickering - recall entering into dialogue with expert with back and forth.
 9:11:22 PM - - Orlando - thinks it is an obstacle not have Board's expert here to respond.
 9:12:00 PM - - Harvatt - agreeable to him testifying as to 3 items specified previously; this is a last minute appearance; have no assurance from Perrillo's client that they will bear the cost; understands applicant's and engineer's concerns.

9:13:18 PM - - Perrillo - the most important piece of Dotti's testimony is to the analysis of the report prepared by the County.

9:14:12 PM - - Harvatt and Perrillo - discuss testimony of Dotti and whether or not to allow at this time.

9:15:27 PM - - Harvatt - ask Pickering if there was any mention of experts in original notice.

9:15:45 PM - - Pickering - no mention

9:15:51 PM - - Orlando - his understanding that there would be cross-examination of all experts by attorneys as well as public.

9:16:57 PM - - Harvatt - his suggestion and recommendation is that Dotti's testimony be limited at this time as it will be unfair to experts, Board members and others who have been here throughout all hearings.

9:18:36 PM - - Perrillo and Harvatt - continue with discussion about Dotti's testimony this evening. Harvatt doesn't see how Board can hear it.

9:19:13 PM - - Orlando - any testimony as to deficiency's in Board's expert's report needs to be heard by Board's expert.

9:19:45 PM - - Perrillo - willagree to that.

9:19:56 PM - - Harvatt -

9:20:00 PM - - Pickering - understands to testimony be permitted as outlined by Harvatt and that Board's expert would need to be present regarding testimony about her report. Still objects to

9:21:37 PM - - Harvatt - Chairman has advised that Board proceed as previously suggested by Harvatt - testimony will be limited to site visit, etc.

9:22:18 PM - - Perrillo - disagrees with Harvatt, but wants to proceed. Begin questioning Dotti.

9:22:42 PM - - Dotti - today was first day he visited site. Described what he observed at site - drove along roadway that runs parallel with fence; didn't see berm there. A berm or barrier has to be tall enough to block sound and planting trees on top of it does nothing. Has read that there is a 15 foot vegetative berm proposed - has to be tall enough to block the line of sight and sound. Has seen no data that willallow him to do the math to determine if proposed berm will be tall enough. Discussed transmission of sound over water. Sound can either increase or decrease over water depending on its path of travel and what it bounces off of. There are ways to calculate this. Temperatures have effect on sound, but not significantly within a close distance up to about 1,000 feet. Said that Ms. Pron did a good job with her investigation. Refer to Pron's report, she took readings within standards and actually did more than required. Discussed a sound level of 65 decibels and described that as 2 people having a normal conversation about 3 feet from your head. Advised that 50 decibels plus 50 decibels equals 53 decibels, not 100 decibels. Explained measurement procedures. Some people average readings over a period of time, which is incorrect. Back-up beepers are a State requirement, but if they exceed 65 decibels, it is a violation. Before 7:00 a.m. the maximum allowable decibel level is 50 decibels.

9:43:23 PM - - Perrillo -

9:43:27 PM - - Harvatt - it is the Board's hope that this matter will be concluded this evening, with closing arguments heard. The absent members would listen to the tape and then the Board would vote next month.

9:44:18 PM - - Pickering - questions to Dotti

9:44:26 PM - - Dotti - in response to Pickering's question about whether Ms. Pron followed procedures in her follow-up he indicated that you don't do a study to just measure background noise and he can't say what she put into her notes. He has taken measurements with equipment as used by Ms. Pron, but he is not an enforcement

officer. He has asked for the source of the noise to be turned off at times, but it is not a requirement to do so. He does not have a Masters or PhD in acoustics. Has taken approximately a dozen courses in various areas of noise.

9:49:00 PM - - Sorenson - ask Board for questions of Dotti.

9:49:09 PM - - Butto -

9:49:18 PM - - Dotti - weather doesn't really affect sound travel.

9:49:39 PM - - Butto - knows the area very well, and did Ms. Pron know where the sounds were coming from - Pierson or Walters or elsewhere.

9:51:04 PM - - Dotti - surroundings absorb sound

9:51:38 PM - - Butto - says he can hear deer when its colder from a farther distance and when it is warmer he can't hear them when they are close by.

9:52:13 PM - - Dotti - temperature really doesn't matter and there are books on the subject.

9:52:49 PM - - Sorenson -

9:52:53 PM - - Pickering -

9:52:59 PM - - Dotti - on site for the first time today with the objector and his attorney.

9:53:32 PM - - Sorenson - open to public for questions of this witness.

9:53:43 PM - - Mathew Blake - take oath - vehicle traffic was mentioned as one of the largest forms of noise.

9:54:16 PM - - Dotti - yes and knew that there was going to be truck traffic associated with site. Discussed noise from diesel truck - each truck is its own event spread out over the course of the day. Each truck will be essentially the same sound level, but you will hear more of it. If a homeowner can hear the truck now, they will hear more of it later.

9:56:38 PM - - Harvatt - ask for Environmental Commission's report.

9:57:07 PM - - Alma George - still under oath - here on behalf of the Dennis Township Environmental Commission as a member and has the recommendations of the Commission to be read into the record. (Passed out copies of report.)

9:58:21 PM - - Pickering - requested minutes of the Environmental Commission, this is the first he has seen or heard about the report, was discussed at several meetings and he was never notified. Minutes also note where e-mailed, which is a violation of the Open Public Meetings Act.

9:59:39 PM - - Harvatt - suggest Pickering question Ms. George as to the report at this time to clear up any concerns.

10:00:28 PM - - Pickering - questions to George.

10:00:36 PM - - George - a natural resource index list was prepared and submitted to the Zoning and Planning Boards; was prepared in 2007 and revised in 2010; was not prepared or adopted by the Environmental Commission. (Pickering read that it needs to be prepared and submitted by the Environmental Commission and copies submitted as per Ordinance.) George said the Commission was involved in its preparation and that was before her time on the Commission. She believes it has been submitted to both the Zoning and Planning Boards because the Commission is getting copies of all applications. Started discussion regarding this application in September, 2011. E-mail is not primary notification source among members even though minutes reflect differently. Have never notified Mr. Pickering that this application was going to be discussed at their meeting because they do not have to. January, 2012 meeting was changed due to reorganization meeting of Township, which had to occur prior to meeting of the Environmental Commission. Discussion of notice of the January, 2012 meeting date.

10:08:56 PM - - Pickering - renews his objection as he was never notified by the Environmental Commission that they would be discussing this application. Additionally, believes there were violations of the Open Public Meetings Act and the minutes say what they do.

10:10:37 PM - - George - letter was sent via e-mail so they could review and discuss at their meeting.

10:10:56 PM - - Pickering - doesn't think should be read into the record.

10:11:06 PM - - Harvatt - make notes of Pickering's objections, but Board can hear same if they so desire.

10:11:36 PM - - George - read Environmental Commission's comments into the record regarding this application.

10:18:40 PM - - Harvatt

10:18:46 PM - - Sorenson - questions to Ms. George by Board, ask public for questions of Ms. George.

10:19:08 PM - - Walter Kaczor - take oath - did Piersons submit a hold facility for toxins

10:20:05 PM - - George - no idea

10:20:10 PM - - Perrillo - did Pierson submit an environmental impact study

10:20:32 PM - - George - hasn't seen one, but it would have been helpful to the Commission.

10:20:53 PM - - Butto - if approved by this Board, has to go to the DEP?

10:21:21 PM - - George - it has to go to the County. Environmental Commission are citizens of Dennis Township appointed by the Mayor, just like the Board members. Believes it may go to the DEP after it goes to the County.

10:22:31 PM - - Butto -

10:22:56 PM - - George -

10:23:00 PM - - Sorenson - had workdone on the well at his home, people who did the work said the sod farm and the chemicals they use are a threat

10:24:08 PM - - George -

10:24:13 PM - - Daniels - reference was made to the Master Plan and the environment - is there anything requiring an Environmental Impact Study.

10:24:45 PM - - George - her understanding it is at the discretion of the Board.

10:24:57 PM - - Orlando - requirement of site plan, but this applicant is here for a use variance. Board has the ability to request if the use variance is approved.

10:25:50 PM - - George - her understanding is that it can be asked for anytime.

10:26:04 PM - - Orlando - it can, assumes it can be made a requirement if the Board feels it can't make a decision on the use variance without it.

10:27:03 PM - - Sorenson - any other questions. None.

10:27:12 PM - - Harvatt - enter Environmental Commission's report into evidence.

10:27:43 PM - - Sorenson - open to public for comments.

10:27:56 PM - - Eileen Turner - take oath - read from prepared statement. Feels need to speak up. Board has tremendous responsibility to protect Township. Not against business, but feels this application will be detriment to Township. Visited campground and noise coming from the applicant's property was very loud and can be heard from their campground. Traffic will also be a problem. Other concerns include dust, ground water contamination, and fumes, among others.

10:32:01 PM - - Jim Owen - would like to ask the Board to deny the application as it will impact on his business.

10:32:31 PM - - Matthew Blake - still sworn - was here when the application first came before the Board back in 2008, has read minutes of meetings and other documents provided by Township. Asking for Board to deny application, read from prepared statement. Concerns with noise, traffic, contamination of land and water, noxious fumes, carcinogens, among others. Site is not suitable for uses proposed and do not promote the general welfare; not permitted uses for good reason; if it didn't fit with Master Plan in 2008, why would it fit now. Would urge that an Environmental Impact Study be required. (American Littoral

Society - member of and on behalf of)

10:40:38 PM - - Harvatt - will call Ms. George back

10:40:51 PM - - George - still under oath - lives in Township, a 5th generation of living in Township; has taken many farm management courses; environment very important; she had husband farm their land. Read from Cox as to land use in ecological areas. Read from prepared statement. Discussed safe and unsafe recycling (safe - newspapers; not safe - asphalt for examples). Read from Cox concerning D variances - applicant hasn't addressed requirements. There is no need for what applicant is seeking. Doesn't understand why applicant purchased property knowing that a variance would be needed.

10:48:01 PM - - Sorenson - ask Ms. George to stick to why she is against the application.

10:48:25 PM - - George - Per her notes, it was said by Mr. Mitchell at the September, 2011 meeting that they have been operating a recycling facility on a temporary basis. They don't have DEP permits to do so. Presented letter from CMCMA dated 4/17/08 to Mr. Mitchell with various copies to others.

10:51:24 PM - - Harvatt - letter is not admissible as Mr. Pickering cannot cross-exam her concerning it.

10:51:52 PM - - George - continue reading from her prepared statement. Advised that CMC does not accept concrete recycling as there are already enough facilities in the County that accept same. Concerns with amount of water the project will use, property values. They need to consider more suitable sites, and use this site for a more appropriate use. Suggest a proposed use of sale of farm equipment. Ask Board to deny application in its entirety.

10:55:59 PM - - Sorenson - other questions. None. Application will continue on March 28, 2012.

10:56:31 PM - - Perrillo - if his client is willing to pay to have the Board's expert come back and Mr. Dotti come back, will they be permitted to do so.

10:57:09 PM - - Harvatt - if they want to come to the meeting, the Board will consider it.

10:57:26 PM - - Perrillo - doesn't want to come back and be told by the Board that they can't be heard again.

10:58:03 PM - - General discussion. Harvatt said he will reach out to the Chairman and see what they can do. Will need to know in reasonable time.

10:58:32 PM - - Sorenson - resolution for Paglieli

10:58:42 PM - - Penrose - motion

10:58:47 PM - - Baldwin - second

10:59:22 PM - - Sorenson - bills

10:59:25 PM - - Butto - motion

10:59:30 PM - - Daniels - second

10:59:50 PM - - Sorenson - adjourn.

11:00:13 PM - - Stop Recording

6:59:40 PM - - Dennis Township Zoning Board of Adjustment
March 28, 2012

Attendance: Sorenson, Penrose, Daniels, Butto, Baldwin,
Germanio, Jones, Robertson, Harvatt and Orlando.

Applications:

FISHER, THOMAS & DIANA - Block 121, Lots 1 and 2, Qualifier
C0030: Located on Dennisville Road in South Seaville in a
Residential (R3) Zone. Applicants seeking a use variance to
construct a 300 square foot addition to an existing cottage
located in the South Seaville Methodist Camp Meeting.

R.E. PIERSON CONSTRUCTION, INC. - Block 224, Lots 68.01, 73,
74.02, 75.03 and 78.04: Located on Woodbine-Ocean View Road in
Ocean View in both the Business (B) and Conservation (C)
Districts. Applicant seeking a use variance to construct and
operate a ready mix concrete plant and a Class B recycling
facility in addition to the existing mining operation.
Applicant also requesting a height variance where 35 feet is
permitted and 82 feet is proposed.

6:59:40 PM - - Start Recording
6:59:46 PM - - Sorenson - call meeting to order.
7:00:40 PM - - Roll Call.
7:00:44 PM - - Sorenson - first application, Thomas and Diana Fisher.
7:01:16 PM - - Baldwin - recuse himself due to conflict.
7:01:25 PM - - James Pickering, Esquire - attorney for applicant
7:01:35 PM - - Thomas Fisher and Diana Fisher - take oath.
7:01:47 PM - - Pickering - background - Board has heard several similar
applications in the past for the South Seaville Camp Meeting.
Refer to plan and show location of subject property. Cottage is
#30 on property line. Cottage purchased by applicants and they
hope to put a small addition for purposes of a downstairs
bedroom. This cottage straddles the property line. Camp
Meeting purchased the triangular shaped lot and added it to
their property. There is a mortgage on that piece.
7:04:23 PM - - Pickering - questions to Mr. Fisher.
7:04:31 PM - - Mr. Fisher - confirm that everything Pickering has said so far
is correct. The current bedroom is too small to use as a
bedroom and they prefer to have their bedroom on the first
floor. (A-1 through A-12 photographs marked into evidence.)
The second floor is a loft and is about 8 feet deep and if you
include the railing it makes it about 7 1/2 feet deep and too
small to function as a bedroom. Plan on reconfiguring the
downstairs. The proposed master bedroom will not include a
bathroom. Addition will not impact on neighbors or any other
cottages or adjacent property owners. There are other cottages
that have added additions in the recent past.
7:07:48 PM - - Pickering - asking for an expansion of a non-conforming use.
Camp meeting has been there for 150 years and probably existed
before zoning. Has asked for similar requests for 6 or 7 other
properties in the Camp Meeting.
7:09:07 PM - - Sorenson - ask Board for questions.
7:09:14 PM - - Penrose - will it be year round.
7:09:20 PM - - Pickering - only certain cottages considered full time.
7:09:49 PM - - Mr. Fisher - this is a year round cottage.
7:09:59 PM - - Butto -
7:10:05 PM - - Pickering - because pre-existing non-conformity, applicant has
to come before the Board for any change in the footprint of the

building.

7:10:53 PM - - Sorenson - no other questions from Board.

7:11:01 PM - - Vincent Orlando - take oath - present Engineer's report. Property encroaches onto Lot 1 with no set back. Applicant is looking at a D-2 and a C variance. No site plan issue for the Board to consider. Need a side yard variance. Feels encroachment needs to be addressed.

7:14:19 PM - - Pickering - submitted letter from Camp Meeting stating that they are aware of the property line and that the septic system issue. Doesn't believe it can be handled by consolidation since there is a mortgage on the other lot. May be able to handle with a license agreement.

7:15:53 PM - - Harvatt - ask Pickering how he would like to handle.

7:16:09 PM - - Pickering - either a license or encroachment agreement.

7:16:23 PM - - Orlando - nothing to say that Lot 1 can't be sold tomorrow.

7:16:57 PM - - Pickering - suggested that a condition be included that if Camp Meeting were to sell Lot 1 they would have to notify landowners. Suggests a written agreement of some type. Mortgage should be paid off in 2 or 3 years.

7:18:50 PM - - Harvatt and Pickering discuss - agree on an easement from adjacent lot.

7:19:27 PM - - Orlando - will have to be delineated and described on plan.

7:19:40 PM - - Pickering - will have Mr. Martinelli prepare an amendment.

7:19:52 PM - - Sorenson -

7:19:57 PM - - Butto - just wants to see it done right and no problems down the line.

7:20:35 PM - - Sorenson - open to public, none, close to public.

7:20:47 PM - - Harvatt - ask for discussion, comments on

7:21:03 PM - - Harvatt - use variance

7:21:07 PM - - Butto - motion to approve

7:21:15 PM - - Germanio - second

7:21:41 PM - - Harvatt - motion to approve C variance

7:22:03 PM - - Penrose - motion

7:22:12 PM - - Butto - second.

7:22:57 PM - - Baldwin - return to Board seat; Germanio - recuse himself for the Pierson application.

7:23:24 PM - - Sorenson - next application Pierson.

7:24:06 PM - - James Pickering, Esquire - attorney for the applicant. His recollection of where we are is that the public portion was complete. There are two small issues he would like further testimony on by Mr. Mitchell as a rebuttal.

7:25:07 PM - - Orlando - not talking about specific sounds

7:25:22 PM - - Pickering - correct

7:25:30 PM - - Sandman - rules of fairness apply and will be deprived of opportunity to cross examine.

7:26:00 PM - - Pickering -

7:26:09 PM - - Harvatt

7:26:11 PM - - Pickering - wants to testify regarding Ms. Pron's testimony and wants Mr. Mitchell to testify as to what was happening that day that was not ordinary.

7:26:49 PM - - Sandman - what is relevance

7:26:54 PM - - Pickering - it was a one time incident and is going to make sure it won't happen again

7:27:13 PM - - Sandman - has his expert here and thought that was the end of it.

7:27:36 PM - - Harvatt -

7:27:39 PM - - Pickering - Mr Mitchell is not going to testify that the noise was not in excess.

7:28:02 PM - - Sorenson - advise Mr. Pickering that he has made his point that there were unusual circumstances that day.

7:28:26 PM - - Sal Perrillo, Esquire - attorney for some objectors. Was asked if he wanted to pay for the other experts to appear if he brings his expert in to testify. There will be no cost to the Board if

his expert is permitted to testify. Indicated that the other experts took an entire evening and even if his expert was here that evening, the Board would have had to have his expert come back another evening.

7:30:40 PM - - Pickering - would like to get through summations and a vote tonight. Feels an appropriate ruling was made at the last meeting. Feels it's unfair that this came up as a last minute item.

7:31:49 PM - - Orlando - our expert was here for 2 meetings and sat through Mr. Pickering's expert's testimony and released her early from that meeting. It was also opened to the public regarding sound so that she could leave.

7:33:02 PM - - Perrillo - asked if his expert was present at that time, would his expert have been permitted to testify.

7:33:22 PM - - Harvatt - issue was done and moved onto next expert.

7:33:39 PM - - Sandman - joins with Mr. Perrillo in his request.

7:33:54 PM - - Sorenson - still wants to move forward with summations and a vote. Advise that this Board is being merged with the Planning Board in the near future and feels obligated to move forward and get this matter resolved.

7:34:39 PM - - Harvatt - move forward with summations.

7:34:47 PM - - Sandman - closing summation - thank Board for its time and attention. Applicant was before Board with same application in 2008 with the only difference being the addition of an asphalt plant. Environmental expert, vibrations expert and other experts were deemed necessary in the 2008 application and this Board was denied the opportunity to hear those experts and the previous application was denied. Pierson then sued. The Board and the Township settled that matter because Pierson put a gun to their head. Pierson is now back and wants special treatment. Case boils down to noise, dust, fumes and traffic. Land has been de-nuded and destroyed already and part of it is Conservation. Referred to applicant's sound expert and the fact that it was done at a time when the applicant knew the test was being done and that the Board had no real comparison between the tests done at this site and their other facilities, such as vegetation, lake, equipment operating, etc. Tests between this site and the Winslow site can't be compared because there is nothing to compare it to at this site, such as the sound of crushing concrete. Also need to consider the number of trucks (big, loud, diesel). The noise issue alone is enough for the applicant to not meet criteria. Traffic is another issue and no way of telling at this time what it will be like come summer. Pursuant to the amount of product the applicant is permitted to mine, which is a prohibited use, it works out to a large number of truck trips which are added to already existing traffic. You then have to add in the concrete and recycling business and the traffic from same. Discussed the zoning criteria. No need for any further recycling facilities in the County - existing facilities are down to 16%. Discussed air quality - chemicals will be introduced into air. Odors were addressed at previous application, but not during this application. Violations at other of the applicant's facilities were addressed at previous application, but not at this application. Applicant is proposing heavy industrial when the Township is looking for light industrial in their Master Plan Review process. Township Ordinances, the Master Plan and Master Plan Review all say they are looking for light industrial. Applicant cannot satisfy negative criteria. Discussed purpose of zoning and the promotion of health, safety, morals and well being - applicant does not meet any of these. Asked if community better off with what is there or what they want to put there.

7:57:52 PM - - Perrillo - summation - join in Mr. Sandman's. Board has to

apply facts they have heard with the applicable law and decide if variance can be granted. This is a non-conforming use and they are disfavored and are to be extinguished. Also, use variances and D variances require very heavy burdens on applicants seeking them. This is an existing non-conforming use requesting 4 additional D variances. They want 3 principle uses, as well as almost doubling the permitted height. The applicant has to show special reasons and the uses requested by the applicant must promote the uses outlined in the Municipal Land Use Law. Review various hurdles that the applicant must comply with. Feels it is all about the noise as well. Refer to report of applicant's expert (passed out several pages of that report to Board members). Pursuant to that report, the berm will not shield the noise. Also, all operations operating at same time will exceed the acceptable noise level and there was testimony from Mr. Mitchell that they some times begin operation early in the morning. Applicant's sound expert averaged the sound level over a period of time - this is not the way sound is to be measured. His client operates a campground and would like to expand his operation. If this application is approved, it will put all of his client's plans in jeopardy.

8:11:44 PM - - Pickering - also wanted to thank the Board and for giving the applicant a fair hearing and listening to the facts. The land is what it is - has been used as a mining operation for 60 or 70 years and has supported many Township families. Thinks the application has the potential of bring a benefit to the Township. Reviewed variances he believes are necessary: D variance for height; D variance for multiple uses on site. This is first step in process, if granted will have to come back for site plan, need County approvals, DEP approvals, CAFRA approvals. Discussed the site - significant portion is still wooded; site has been mined and provides a product that is needed; site has had a mining permit since permits were required. The Supreme Court has said that if you have a use that exists at the time that zoning changes it to a non-conforming use, you have a Constitutional right to continue with that use. The Conservation District on the site is Township, not State, implemented. Hopefully, he has presented enough information to meet the burdens. He is not asking that the application be "rubber stamped". Described surrounding properties to this site and their uses - many of which have multiple uses on them, as well as existing structures that are the same or higher than what the applicant is proposing. There are several residences in the area and none of those property owners have appeared to object. The only objectors are the owners of nearby campgrounds. Discussed the noise issue. No one from Resorts Campground or residential homes have complained about the noise, including during the short period of time when they were crushing concrete. The first time anyone complained about the noise was when Mr. Owen appeared and complained. The applicant responds to complaints and if they had heard a complaint about noise, they would have done something about it. Compared testimony of the applicant's noise expert, Ms. Sherwood, with that of Mr. Dotti - testimony was very similar in their findings. Ms. Sherwood's testimony found the applicant to be in compliance with acceptable noise levels and Mr. Dotti did not dispute it. Ms. Sherwood did testify that if all operations were running at the same time, the applicant would exceed acceptable noise levels and she testified as to what could be running at the same time to remain in compliance. Reviewed Ms. Pron's testimony and the fact that he was stunned that she was acting as a taxpayer funded witness. He has no reason to doubt that her readings were what they were at the time they were

taken. It has been questioned as to who is going to enforce issues - it doesn't just apply to this application but to all sorts of uses. Discussed "purposes of zoning". Read from case law and categories of special reasons. Discussed special reasons and how they relate to this application. Explained how the uses on this site are "accessory" or "complimentary uses" to the sand mining operation. Also, jobs will be created. The operation can't be seen from the road; the site allows for similar uses; site is large enough for vehicles to travel on the site; Mr. Walters, an adjoining property owner, testified that he is in favor of the project; site is being used and re-used as opposed to disturbing other lands for the creation of a new facility; site is on a County designated truck route. Reviewed the negative criteria and criteria for same. Discussed traffic - the only expert testimony was from Mr. Horner in addition to the Board's expert. With regard to the noise issue, the only objectors are the campgrounds and they have not complained prior to this time. With respect to the comment that the applicant "held a gun to the head" of the Board, that was not done. It was due to 1 or 2 of the previous Board's members doing inappropriate investigations on their own. This applicant is here seeking to have the application heard as a new application. The only thing to be recycled by the Class B recycling facility is concrete with a little bit of asphalt. They are limited in what they can recycle as a Class B facility. Doesn't believe that "need" or "capacity" is an issue. Discussed height - believes that sufficient testimony has been given. Thank the Board again for its patience and consideration of the application and believes the application should be granted.

- 8:57:38 PM - - Harvatt - ask if there were any other conditions that Mr. Pickering recalled were discussed such as traffic on Corson Tavern Road, hours of operation.
- 8:58:29 PM - - Pickering - willing to make it a condition that applicant's drivers not use Corson Tavern Road - doesn't recall it being discussed however.
- 8:59:14 PM - - Sorenson -
- 8:59:18 PM - - Orlando - present Engineer's report. Identified use variances - 2 D variance and 1 D-6 variance; no bulk variances needed. Discussed the various prongs that need to be determined in the consideration of D variances. Discussed height variance; types of materials to be utilized; testimony as to hours of operation and number of employees.
- 9:04:25 PM - - Harvatt -
- 9:04:37 PM - - Sorenson - call for short recess.
- 9:04:48 PM - - Pause
- 9:13:02 PM - - Resume
- 9:13:03 PM - - Pause
- 9:13:04 PM - - Resume
- 9:13:08 PM - - Sorenson - call meeting back to order. Time for the Board to discuss.
- 9:13:29 PM - - Harvatt - explain to new Board members how process works - have to deliberate and put on record their opinions as to the positive and negative criteria. Will ask Board whether they want to take separate votes as to the concrete facility and the recycling facility as some one may be in favor of one and not the other.
- 9:15:25 PM - - Perrillo - asked if that decision shouldn't be made now before Board deliberates.
- 9:15:54 PM - - Harvatt - specific testimony was given as to each facility; sees as form of function.
- 9:16:23 PM - - Perrillo - applicant should make decision now as to whether it is voted on as 1 or 2 separate issues.
- 9:16:56 PM - - Harvatt - will let Mr. Pickering respond.

9:17:08 PM - - Harvatt - joins in Perrillo's application.
 9:17:23 PM - - (Pickering given time to discuss with his client.)
 9:18:01 PM - - Pickering - Mr. Orlando felt they were separate D variances, Mr. Perrillo feels the same, he is OK with doing 2 separate votes.
 9:18:36 PM - - Harvatt - review what is to be voted on.
 9:19:02 PM - - Sorenson - ask for Board comments.
 9:19:09 PM - - Daniels - listened to 11 hours of tapes and didn't have much chance to ask questions. Has concerns with sound testing and testimony given pertaining to same and lack of personal observation of the experts, conflicting testimony and methods used. Has other concerns with the findings of engineering expert for the applicant. He feels the addition of 1 extra truck creates traffic concerns in his opinion. Concerned with testimony of Mr. Mitchell, who is in charge of compliance, and the fact that he wasn't aware of violations that occurred on the site. Referred to the Zoning Ordinance and criteria that must be met that the applicant is in violation of. Feels that there wasn't enough evidence regarding the need of a recycling facility. Saw nothing on environmental issues. Concrete involves chemicals and gasses and dust. Applicant should have covered environmental hazards and mitigation of same. Feels all of the negative criteria has not been addressed and that he can not vote in favor of this application for this and other reasons.
 9:29:23 PM - - Penrose - would like to build on what Mr. Daniels said. Much of the testimony regarding traffic was built on projection which he believes may have been low and the Board is held to the worst case. It would be convenient to have a recycling and concrete company nearby, but at the same time that is a personal thing, but overall it will impact many people and has potential of increasing. Also objects to averaging - has heard the tailgates slam and it is a shock and people coming to the campground and surrounding neighbors it will disrupt.
 9:32:49 PM - - Baldwin - have to consider traffic and all negative aspects of this application at their upper limits and we don't know what those upper limits are. The more traffic we have the more difficult it is to get around our Township and it will affect many.
 9:34:08 PM - - Jones - he was about a quarter of a mile from machines and could hear them; feels it is detrimental to the Township as a whole; feels for campground people and those that are trying to relax a little and have to hear the noises.
 9:35:18 PM - - Robertson - on the positive side, this is probably the best place to put this type of operation in the Township. Mr. Pierson is probably a good businessman and probably won't sent trucks out on days when traffic is heavy and they won't be moving. On the negative side, campgrounds bring a lot to our community and we should protect them. Wants to listen to more comments. Doesn't know where he is yet.
 9:37:11 PM - - Butto - grew up on Route 50; dealt with noise of traffic. Pollution is dealt with by the DEP. Doesn't see Pierson running their trucks on Saturdays. As a contractor, he likes knowing that there is competition and would like to see jobs that pay enough for some one to support their family. The Township has allowed a liquor store on Sea Isle Boulevard, a cemetery with 6 people in it. Sees both sides and is torn, but sees benefit to applicant's project and thinks it would be a nice thing to have. Hasn't heard many other than people from the Environmental Commission speak out against it.
 9:41:04 PM - - Sorenson - wants to commend all of the attorneys in this matter who have voice different opinions and facts. Testimony can be confusing as to who is right, there are many negative and positive aspects. He has now heard 3 applications from this

applicant.
 9:43:00 PM - - Harvatt - D-1 variance for multiple uses and structures on 1 site.
 9:43:27 PM - - Orlando - feels having separate votes may be more advantageous.
 9:43:52 PM - - Harvatt - first vote to approve construction of concrete plant
 9:44:16 PM - - Butto - motion
 9:44:22 PM - - Jones - second
 9:45:09 PM - - Harvatt - next vote to allow recycling
 9:45:21 PM - - Butto - motion
 9:45:31 PM - - Baldwin - second
 9:46:03 PM - - Harvatt - remaining votes are moot at this point. This completes the application and the Board now has other business.
 9:46:41 PM - - Sorenson - ask for quiet so Board can continue their business.
 9:47:03 PM - - Sorenson - corrected Resolution correcting square footage
 9:47:18 PM - - Daniels - motion
 9:47:21 PM - - Baldwin - second
 9:47:54 PM - - Sorenson - bills
 9:48:03 PM - - Jones - motion
 9:48:06 PM - - Penrose - second
 9:48:28 PM - - Sorenson - the Township Committee will be merging the Zoning Board with the Planning Board. There will be one item to take care of next month to pass Resolutions and pay bills.
 9:49:22 PM - - Harvatt - will not be here next month.
 9:49:32 PM - - Orlando - thank Board for appointing him as engineer and hopes to see everyone from the other side of the table. He will not be at meeting next month either.
 9:50:07 PM - - Sorenson - adjourn meeting.
 9:51:07 PM - - Stop Recording

