

Borough of Westville

Land Use Board

Regular Meeting Meeting Minutes ~Monday, July 12, 2010

Chairman Michael Sautter advised that notice of this meeting had been advertised in accordance with the "Open Public Meetings Act." Salute & Pledge of Allegiance to the Flag followed.

Solicitor Thompson administered the Oath of Office to Burce Nordaby as Alternate # 1

The roll was called with the following Board Members present: Solicitor Gary Thompson, Colleen Archer, William Bittner, Vince DiCicco, Eric Farley, Charles Murtaugh, Michael Sautter and Bruce Nordaby, Alternate # 1. Norm Rodgers, Engineer and Leah Furey-Bruder, Professional Planner was also in attendance.

A motion to approve the meeting minutes from March 2, 2010 was made by John Louis and seconded by Charles Murtaugh. Motion was approved by voice vote.

NEW BUSINESS:

- The application for Always Affordable Auto Sales, LLC was deemed complete and the Board has jurisdiction to hear the matter
Solicitor Thompson advised Board Member Colleen Archer she had to step down from the hearing because she was a property owner within 200 ft of the applicant.
- Mr. Michael Aimino, Esq., representing Eric Michaels, submitted an application for Minor Site Plan Approval and an Amendment or Revision to Approved Site Plan for Always Affordable Auto Sales, LLC. Mr. Aimino introduced James Clancey as the Professional Engineer, Planner and he was accepted as an expert witness for the applicant. Mr. Clancey and Mr. Michaels were sworn in. Testimony was given concerning the daily operation of the used car business, the prior approvals and why they did not work out and comments concerning the Board Engineer and Planner's reports. Each item was addressed, however, the applicant was adamant about the installation of a sidewalk on Delsea Drive. Bruce Nordaby questioned whether there would be trucks, vans or commercial vehicles on property. Mr. Michaels stated that there is a box truck in front that will be moved to rear, in an enclosure and everything not for sale would be moved to the rear. The vegetation would be cleaned up. William Bittner wanted to clarify some points with Mr. Michaels, the first would it be a full-blown auto repair shop? Would the repairs be on just the vehicles he owns or would there be advertising? He would fix cars other than the ones he owns. Concerning the sale of vehicles, would it be passenger vehicle only? The response was maybe commercial vehicle's, sometime but no boats. The employees would be a salesman and a mechanic. Mr. Michaels is on the road most of the time with the 2-carrier flatbed. This is a limited towing facility.
The meeting was opened to the Public with comments from Colleen Archer, 70 Burr Avenue who questions the lighted sign. When would it be on? Would the applicant consider a timer for the light? Dawn Leamy 137 Walnut Street wanted to know where the work on the vehicles would be done. Mr. Michaels responded that the work would be done on the inside bays. Mrs. Leamy stated that she has seen work being done on the outside of the bays. Mr. Michael explained that sometimes the battery on the cars would

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need to be jumped, tires changed etc., this would be done out front. Steve Fiergeng, General Council for Brown's Shop Rite had concerns about parking and aesthetics' at the property. There was also concerns about the location of the fence on the property, with the location being so close to the road, was a permit pulled? There was discussion between Michael Sautter and Mr. Michael Aimino, Esq. concerning changes to the site plan, working with Norm Rodgers and Leah Furey-Bruder and Mr. Aimino visiting the site before the next meeting.

Upon a motion by William Bittner and a seconded by Charles Murtaugh, the public hearing was continued to September 13, 2010. The applicant consented to an extension of the time within which the Board must render a decision equivalent to the length of the continuance.

PUBLIC COMMENT: Mr. and Mrs. Allen, 314 Summit Avenue wanted to know what they would have to do, they put a pool up without a permit and the pool is too close to the other property line. Solicitor Thompson suggested that they should apply for a variance. The application is at Boro Hall.

MEETING ADJOURNMENT:

A motion to adjourn the meeting was made by Colleen Archer and seconded by Charles Murtaugh. Motion was approved by voice vote. Meeting adjourned at 9:12 p.m.

Respectfully submitted,

Therese Eckel
Secretary, Land Use Board