

**Joint Land Use Board**  
**1200 Mountain Ave., Middlesex, NJ 08846**  
**Minutes**  
**December 8, 2021**

**1. Call to Order**

Chairperson Conahan called the meeting to order at 7:05pm.

**2. Open Public Meeting Act Statement**

Chairperson Conahan read the Open Public Meeting Act Statement.

**3. Roll Call**

The following members were present:

*CLASS IV MEMBERS:*

FRANK RYAN DEC/2024 [PRESENT]	MARK KRANZ DEC/2023 [PRESENT]
JOSEPH DESCENZA DEC/2021 [PRESENT]	MICHAEL CONAHAN DEC/2022 [PRESENT]
ROBERT SHERR DEC/2022 [PRESENT]	PAUL WOSKA DEC/2023 [PRESENT]
JOSEPH CARUSO DEC/2021 [PRESENT] ALT 1	
TODD NICOLAY DEC/2022[PRESENT] ALT 2	

ROBERT DESSINO DEC/2023 [PRESENT] CLASS I MEMBER  
STEPHEN GRECO DEC/2021 [ABSENT] CLASS II MEMBER  
JEREMIAH CARNES DEC/2021 [PRESENT] CLASS III MEMBER

ALSO PRESENT: BOARD ATTORNEY-MR. BILL ROBERTSON  
ZONING OFFICER- MR. JOE COSTA  
BOARD ENGINEER-MR. ROBERT BUCCO

**3. Minutes**

Member Descenza made a motion to approve the November 10, 2021 minutes, seconded by Member Caruso. Vote: All in favor. Motion passed.

**4. JLUB 2021-006                      Use Variance with Major Preliminary and Final Site Plan**  
D & J Collision Center  
256 Lackland Dr East  
Block 293 Lot 9

Mr. John Sullivan stated he is representing the applicant for the use variance.

Mr. Sullivan stated that D & J Collision is currently located at 201 Mountain Ave and is moving to 256 Lackland Dr East due to the warehouse project on Mountain Ave.

Mr. Sullivan stated that 256 Lackland Dr E is a fully improved site and will be used as an auto body repair facility.

Mr. Sullivan stated that they are seeking a use variance as the use is not permitted in that zone.

Mr. Sullivan stated that there are existing bulk variances and they have submitted photographs and a plan.

Mr. Sullivan stated that a photograph of the sign has been submitted and will comply with the sign ordinance.

Mr. Bill Robertson duly swore in Mr. John Patterson, Principle of Applicant.

Mr. Patterson stated that he has been leasing D & J Auto for 9 years and he has 40 years of experience.

Mr. Patterson stated that he repairs collision cars and is currently located at 201 Mountain Ave and will be moving to 256 Lackland Dr E.

Mr. Patterson stated that the new site is three times the size of the current location, he will be able to store unsightly vehicles inside the building and the building is adequate for the use, he will be upgrading his equipment.

Mr. Patterson stated that there are 10 employees, the site will be open Monday through Saturday. The business will be open Monday through Friday 8am to 6pm, Saturday will be a half day closing at 1pm. The business is closed on Sundays.

Mr. Patterson stated that drop offs are scheduled appointments and that there are emergency drop offs by tow trucks.

Mr. Patterson stated that parts are delivered every day with a van or box truck no tractor trailers and parts are usually delivered from 8am to 1pm.

There will be three dumpsters on the site; the recyclable materials (aluminum and scrap) are picked up once a month.

The rear dumpster which is general waste is picked up two times a week.

The signs from the current location will be move to the new location, the signs will comply with the sign ordinance.

The Board started to review the Colliers Engineering letter dated November 11,2021:

- Liquids on the site were explained
- Waste oil drum and overflow plan were explained

- Public access was explained- customers are scheduled
- Parking for customers will be on the left side of the building
- Noise Regulations were addressed- repairs will be made inside building
- Parking and Storage were addressed- inside of building will fit 25 vehicles and only schedule 15 per week
- Spray Booth- double filtered with a floor and bag filter- State does yearly inspection
- Changes to the building were explained- there will be 2 garage doors- so can drive through
- Interior wall to be removed
- Spray booth will have 5 sprinklers- details in booth plan

The Board started to review the Ricci Planning Report section pertaining to uses allowed in IND district and performance standards Ordinance 420-60:

- No industrial waste- applicant will comply
- Applicant testified to solid waste on the site
- Noise- testified that vehicles will be repaired inside- no noise outside
- Glare- any welding will be done inside the building
- Fire- Applicant will have a suppression system and vacuum dust system
- Hazardous- No underground tanks on the site.

Chairperson Conahan opened the meeting for questions.

Mr. Bucco asked if the applicant needed a NJDEP permit for the spray booth,

Mr. Patterson stated that they don't need one, but the state does inspections yearly.

Mr. Patterson was asked how much the spray booths cost will be. He stated approximately \$200,000.

Mr. Patterson was asked where the doors to the spray booth are located.

Mr. Patterson stated that when you face the building about halfway back on the left side.

Exhibit A1 12/8/2021 was entered as a color rendering of the site plan dated September 30,2021.

Mr. Costa asked if there would be any vehicle sales.

Mr. Patterson stated there would be no vehicle sales.

Mr. Costa asked a question regarding if there would be slats in the fence and if they are a particular color.

The slats in fence will be a dark color.

Mr. Costa asked a question regarding if there would be vehicles stored outside while waiting for parts.

Mr. Patterson stated that no vehicles would be stored outside, everything will be in the building.

Mr. Costa asked how many striped parking spaces would be on the site.

There will be 19 striped parking spaces on the site.

Mr. Costa asked if a tow truck driver was to drop a vehicle at 2am would they be able to.

Mr. Patterson stated there is no gate in the front and the tow truck driver would be able to use the drop box for the keys.

Member Descenza asked if there was a plan for the blacktop.

Mr. Patterson stated that the blacktop would be power washed and striped. He stated he is only renting the site.

Member Caruso asked if the interior wall to be removed was load bearing.

Mr. Patterson stated that the wall is not load bearing.

Member Woska asked if there would be used vehicles for sale.

Mr. Patterson answered no.

Member Ryan asked if the applicant wanted to sell just one vehicle would he be allowed.

The applicant would have to follow the ordinance regarding sales.

Mr. Costa confirmed that there would be no storage outside the building and the site would not look like a junkyard.

Mr. Ricci asked if there would be any mechanical repairs.

Mr. Patterson stated there would only be suspension repairs.

Member Nicolay asked how the spray booth gets built, is it premanufactured?

Mr. Patterson stated that the spray booth is not premanufactured and will be built inside the building.

Chairperson Conahan opened the meeting to the public, there being no public questions the Board continued with the application.

Mr. Bill Robertson duly swore in the William Hollows, the Applicant's Engineer.

Mr. Hollows stated his education and credentials. The Board accepted Mr. Hollows as an expert witness.

Mr. Hollows explained Exhibit A1 12/8/21 showing that there will be 5 parking spaces on the south side for employees, 6 parking spaces including ADA space on the left side of the site and the location of two dumpsters.

Mr. Hollows stated the proposed changes to the site:

- 2 garage doors to be added to building
- Man door to be added
- Asphalt to be power washed and restriped
- ADA sign to be added
- Sidewalk is to be redone and add ADA ramp
- New signs to be installed
- Fence

Mr. Bucco stated that the applicant is a tenant but wanted to confirm that the ADA parking space gets installed and details are added to the site plan, the applicant would clean out and jet existing drainage, the applicant should check to make sure lighting is compliant or request waiver for lighting.

The Board was agreeable to granting a waiver for the lighting.

Mr. Sullivan reviewed the waivers that are being requested:

- Topography
- Existing utilities
- Elevations
- Drainage (other than jetting and cleaning existing system)
- Lighting
- Parking stall sizes
- Parking in the front yard
- Curbing all rear of property
- Trash enclosure not fenced

Mr. Ricci asked if the lighting would be on all night.

The Board was informed the lights would be turned off at night.

Member Kranz asked if the light on the exterior of the building would be affected when the garage doors are installed.

The Board was informed that the light would not be affected as it is above the door.

Mr. Bill Robertson duly swore in Mr. Paul Gleitz the Applicant's Planner.

Mr. Gleitz stated his education and credentials. The Board accepted Mr. Gleitz as an expert witness.

Exhibit A2 12/8/21 was entered as an aerial photo taken using Google.

Mr. Gleitz stated that the applicant was relocating in town due to development in the same zone.

Mr. Gleitz stated the lot size was 26,000 sq ft, the building was 10,000 sq ft, there would be 19 parking spaces, inside storage, located in the IND zone.

Mr. Gleitz stated that this use is not permitted in any zone in the Borough.

Mr. Gleitz stated that application is a D1 use variance and also has bulk variances for the front yard setback, rear yard setback, lot coverage and size of the drive aisle.

Mr. Gleitz summarized the application highlighting positive criteria to approve the application, such as reuse of existing structure, retaining a business and reinvesting in an existing property.

Mr. Ricci agreed that the autobody use is not anticipated in any zone and this particular use is situated for this property.

Chairperson Conahan opened the meeting to the public for questions. There being no questions the Board continued with the application.

Mr. Sullivan summarized the application asking the Board to approve the use variance and site plan with waivers. He stated that the application is a for a use variance in the IND zone which is the best place for this use, he stated the applicant has been in business for 9 years and limited site improvement and reusing an existing site.

Member Kranz asked if there were any plans to paint the building.

Mr. Patterson stated that he wants to paint the building tan in the spring.

The Board reviewed the conditions that were discussed: signage must comply with ordinance, comply with noise ordinance, no vehicles sales-comply with ordinance, curbing and parking including ADA, cleanout, and jet existing drainage.

The Board reviewed the waivers requested: topography, lighting-must remain operational, utilities, parking (26 spaces required an 19 are proposed), elevations,

curbing in the back of the property, parking stall size, drainage, enclosure for trash dumpsters.

The Board reviewed the variances requested: front and rear setback and the D1 use variance as the zone does not permit auto body repairs.

Member Descenza made a motion to approve the preliminary and final site and approve the D1 use variance and bulk variances subject to conditions and waivers, no storage outside the building, no mechanical work only suspension work, anticipate the building to be painted a tan color in the near future, seconded by Member Kranz. Vote: Member Sherr-yes, Chairperson Conahan-yes, Member Ryan-yes, Member Woska-yes, Member Kranz-yes, Member Descenza-yes. Member Caruso-yes. Member Nicolay-yes. Members Carnes and Member Dessino not eligible to vote. Motion passed.

## **5. Correspondence**

### **A. Middlesex County Open Space and Recreation Plan**

This item was tabled.

Mr. Costa stated that he received an email from Ms. Marcia Karrow, Business Administrator regarding a survey to be completed. Mr. Ricci stated he had completed a vulnerability assessment questionnaire. Mr. Costa will forward the email to Mr. Ricci and Chairperson Conahan.

## **6. Board Comments**

### **A. Memorialize Resolution Appointing Paul Ricci as Planner for the Master Plan**

Member Sherr made a motion to adopt the Resolution, seconded by Member Descenza. Vote: Member Sherr-yes, Chairperson Conahan-yes, Member Ryan-yes, Member Woska-yes, Member Kranz-abstain, Descenza-yes, Member Carnes-abstain, Member Dessino-yes, Member Caruso-yes, Member Nicolay-yes. Motion passed.

### **B. Master Plan Update**

Committee has not met yet as Resolution was just adopted.

### **C. Shade Tree Update**

Item has been tabled.

### **D. RFP Subcommittee Formation**

Chairperson Conahan, Member Kranz, Member Sherr and Member Descenza will review the RFP.

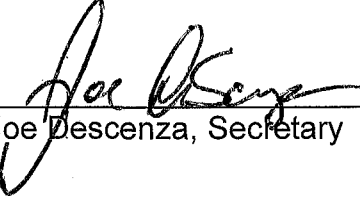
**E. Draft of 2022 Calendar**

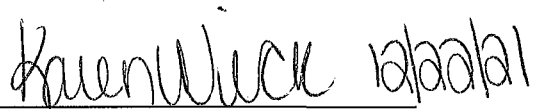
Official Calendar will be adopted at Reorganization meeting.

Chairperson Conahan announced the next meeting will be Wednesday December 22, 2021.

Chairperson Conahan opened the meeting to the public, there being no public he closed the public portion of the meeting.

There being no further business Member Descenza made a motion to adjourn the meeting at 9:01pm, seconded by Member Caruso. Vote: All in favor. Meeting adjourned.

  
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Joe Descenza, Secretary

  
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Karen Wick, Board Clerk