

**SOUTHAMPTON TOWNSHIP
ZONING BOARD OF ADJUSTMENT AGENDA
SPECIAL MEETING
SEPTEMBER 19, 2013 @ 6:30 P.M.**

Call to order. The meeting was called to order at 6:45pm.

Flag salute.

Roll call:

**Present: Ms. Doherty Mr. Goettelmann, Mr. Haas, Mr. Heller Mr. Kennedy,
Mr. Murphy, Mr. Robbins, Mr. Thomas and Mr. Zoltowski.**

**Also in attendance:
Thomas Coleman, ESQ
Rakesh Darji, Engineer
Thomas Scangarello, Planner**

Reading of Statement of Compliance with the Open Public Meetings Act.

Read by the Secretary

Continued Application

Allied Recycling, Block 2401, Lot 36.02, 440 New Road, Use Variance, Minor Site plan.

Michael Ridgeway- attorney for the applicant recaps the existing application.
Mr. Ridgeway stated that the applicant recieved approval from the County planning Board and a certificate of filing from the pinelands. He also recaps all the previous testimonies in regard to the extensive clean up done on this property.

Mr. Ridgeway testified that with the 1993 resolution of the subdivision done by Mr. Gieberson shows the area that is dedicated to the junkyard and at the current time, being used by Allied, has not expanded that area.

Exhibit A-8- Mr. Coleman's letter dated 4/13/2013
Exhibit A-9- letter from Mr. Ridgeway dated 4/14/2013

Mr. Ridgeway reads the current definition outline of Southampton Township Ordinances.

Mr. Ridgeway stated that after much conversation with Mr. Coleman his applicant decided that he wanted to file for a certificate of non- conforming use or a D variance.

Mr. Ridgeway stated that this property has operated as a junk yard since the 50's. Where the problem lies is that has the use changed since the zoning ordinances were created.

When the ordinances were created recycling was not what it is now. The things that are accepted have changed. This being computers, e-scrap and batteries.

** Mr. Haas joined the meeting at 7:02pm

Tom Grabrisiak, president of Allied Recycling, president of Last Chance Salvage. The property and contents were purchased in 2012. Previous to the purchase Allied was renting the property.

Mr. Grabrisiak stated that when he purchased the property he had done an extensive clean up. The property was full of debris and junk, tires, wood, cars and miscellaneous debris.

A-10 – receipts from cleanup of site.

Mr. Robbins made a motion to grant a certificate of non-conformance because the testimony given and witnesses support the asertation that the current use falls within the junk yard ordinance and Mr. Haas seconded.

Mike Ivins, sworn in by Thomas Coleman, Stated that he had visited the site over the years and he took items to sell. Mr. Ivins also visited the site after Allied too over and the site is completely different. The site was very organized and clean.

There are approximately 160 automobiles on the lot presently.

Daniel Giberson, previous owner, stated that his family has had this parcel since 1947. Mr. Giberson owns 100 acres along the back of the junk yard. There have been other operators of the junk yard, Sheeny Poinsett, Eddie Fuller and Friedman Point set. Mr. Giberson stated that when he visited the site in earlier days there were cars, cans, TVs, house refuge, boats and countertops .Mr.Giberson testified that he has no financial interest in Allied.

Mr. Miller, Planner for the applicant, stated that he opines that the use is the same as before which was that recycling is a part of the junk yard. He feels that this is a pre excising non conforming use.

Mr. Miller read the Southampton Township ordinance from 2001 in regard to junkyards to point out the wide variety of materials that can be collected at this site.

Mr. Giberson stated that thei first licence for the junk yard was issued by the Township in the 1960s.

Mr. Miller testified that he feels that this current junk yard is

Voted in the affirmative: Mr. Goettelmann, Mr. Kennedy,

Voted in the Negative: Mr. Haas, Mr. Robbins, Mr. Heller and Chairman Zoltowski

Abstained: Ms. Doherty

Motion Denied

Discussion/Public Comment

1. Bruce Gsell- 10 Ridge Road
2. John Wishart- 1 Falcon Drive
3. Ben Lerner- 26 Falcon Drive
4. Kathrine Wishart- 1 Falcon Drive
5. Patricia Topham
6. Lawrence Burk
7. Nancy King- 445 New Road
8. Steven Jenkins- 446 New Road
9. Penny - 19 Falcon Drive
10. John Price- 33 falcon Drive
11. Daniel Gieberson

Motion for adjournment