

**BOROUGH OF JAMESBURG
LAND USE BOARD
MINUTES
June 13, 2019**

Attorney Michael Balint called the meeting to order at 7:06 pm and announced that the same was being held pursuant to the Open Public Meetings Act and that all the provisions of the Act had been met.

Flag Salute

Roll Call: Present: Rosanna Davino
 Niki Durando
 Joseph Howard
 Susan Kozar
 Mayor Lowande
 Brian Wright
 Chairman John Walker

Alt: Robert Boulogne
 Alt. Shannon Spillane

Absent: Joseph Maccaro, Michael Valiant,

Approval of Minutes: May 9, 2019

Motion: Wright

Second: Kozar

In Favor: Durando, Howard, Kozar, Lowande, Wright, Boulogne, Spillane

Abstain: Davino, Walker

Approval of Executive Session Minutes: May 9, 2019

Motion: Howard

Second: Lowande

In Favor: Durando, Howard, Kozar, Lowande, Wright, Boulogne, Spillane

Abstain: Davino, Walker

RESOLUTION #11-19 – JFK SCHOOL TRAILERS - Block 46, Lot 1.02

Resolution confirming courtesy review and recommendations as requested by the Borough Board of Education to permit the installation of classroom trailers for the use in conjunction with the John F. Kennedy Elementary School on property known as Block 46, Lot 1.02 on the tax map of the Borough of Jamesburg.

Motion to approve: Howard

Second: Durando

In Favor: Durando, Howard, Kozar, Lowande, Wright, Boulogne, Spillane

PUBLIC HEARING – Naif Tiryaki – 54-56 Lincoln Ave. Block 59, Lots 1.02, 3 & 6:

The applicant is requesting a Use Variance for a used car sales business and a residence on the 2nd floor. He is requesting site plan waivers for all design elements with exemption of lighting.

Walter Toto: Attorney for Naif Tiryaki: Smart Lincoln, LLC is requesting an adjournment. He received a 9-page completeness letter the day prior to the meeting. Mr. Toto feels he did not have enough time to move forward with a hearing. Chairman Walker was disturbed over the fact that the client wasn't even present at the meeting. Per Mr. Toto he told his client not to come to the meeting. Several Board members were not pleased with the decision to carry this hearing over another month. This has been ongoing for several years. The business is currently open without approvals. The Board feels Mr. Tiryaki has done nothing to prove he will meet deadlines.

Mr. Toto reassured the Board that he will have revised plans in our hands by June 27th at 4:00pm. Mayor Lowande would like to see the business shut down if deadlines aren't met. Board Attorney Mike Balint agrees and would like Mayor Lowande to get approvals from Council to move forward if necessary.

Motion to Open Public Comment:

Motion: Howard

Second: Lowande

In Favor: Davino, Durando, Howard, Kozar, Lowande, Walker, Wright, Boulogne, Spillane

Samantha Rampacek – 57 Lincoln Ave.

Mrs. Rampacek commended the business on some of the cosmetic changes they made on the building however, she still had some concerns. The dumpster is located on the street and is lefty open and is generally overflows. Garbage gets blown all over and sometimes onto her property, also the dumpster is being emptied very early in the morning and this is loud. Customers cars are being parked in front of houses and blocking driveways. There are times deliveries are being made to the business late hours of the night. Flat bed trucks dropping off cars tend to be extremely loud. It seems they rectified the issues with the lights shining into the windows of her home. Attorney Walter toto added the lights have been adjusted. He will look into the late-night deliveries to have them stopped. He will also look into having the dumpster moved to the back of the building.

Alexander Runtevski – 131 McKnight Ave.

Mr. Runtevski owns the property next door to Smart Lincoln, LLC. He showed the Board a survey showing Smart Lincoln is encroaching on his property. Part of the paved area is on his property and there are cars parked on it. Walter Toto was given a copy of the survey to look into it.

Bill Maresca – Zoning Officer Borough of Jamesburg

Mr. Maresca explained this has been an ongoing issue for years. He recommends there is a deadline. Smart Lincoln must be heard on July 11th or the business will be closed. The 200' list must be resent. There is more than one business operating on the property without proper approvals. There is an apartment upstairs that houses a handicapped individual. The only way out of the apartment is to be taken out by the Fire Department with a ladder. Brian Wright explained the building will need to meet all new fire codes in order to keep it safe.

Motion to Close Public Comment:

Motion: Wright

Second: Howard

In Favor: Davino, Durando, Howard, Kozar, Lowande, Walker, Wright, Boulogne, Spillane

Motion to Carry Until July 11, 2019 With Stipulations:

- New plans must be in the hands of the Borough no later than 4:00pm on June 27th or this will be referred to council for further action to be taken.
- Must be at July 11th meeting
- Re-notice 200' list – no notice in paper

Motion: Howard

Second: Durando

In Favor: Davino, Durando, Howard, Walker, Boulogne Spillane

Not in Favor: Kozar, Wright

Motion To Adjourn:

Motion: Howard

Second: Lowande

In Favor: All