

NOVEMBER 19, 2012

The Plymouth Township Zoning Board held a public meeting at the Plymouth Township Building on Monday, November 19, 2012.

The meeting was called to order at 7:05 PM.

The following were present:

Robert Esposito	Vice Chairman
James Saring	Member
Michael Mattioni	Member
Robert Sassi	Member
Joseph McGrory	Solicitor
David Conroy	Zoning Officer
Paula Meszaros	Court Reporter



Absent: Vincent Frangiosa

Robert Esposito served as Chairman this evening.

The Pledge of Allegiance was recited.

The Board heard the following:

MICHAEL J. TIER: On an application for a Variance from Plymouth Township Zoning Ordinance No. 342, as amended, Article XIX, Section 1908.A.

The Variance requested is as follows: To permit an unenclosed porch 13' from the rear property line where a minimum of 20' is permitted.

The property is located at 302 Bishop Circle in a "C" Residential Zoning District.

Mr. Michael Tier was sworn-in to testify.

Mr. Tier advised that he is requesting the variance in order for a roof to go over his porch. Mr. Tier stated that the roof itself will cover 17' in back of his house. Mr. Tier advised that the porch will be 13' from the rear property line, and there would be 16' to the nearest home. Mr. Tier stated that a new scale drawing was submitted to show these dimensions.

Mr. Tier advised that he has presented photographs to show what is being proposed at his property, and to show neighboring properties. Mr. Tier stated that the posts are shown in one of the photos.

Mr. Tier advised that a letter was submitted by his neighbor. Mr. Tier stated that this

letter indicates that the neighbor has no problem with the proposal.

Member Mattioni asked if there will be vaulting. Mr. Tier advised that there will be vaulting. Member Mattioni asked if there will be enclosed walls. Mr. Tier stated that there will be no enclosed walls.

Member Mattioni noted that one of the photos submitted shows a similar porch on a neighboring property. Mr. Tier advised that his porch and roof will be similar to what is at this neighbor's property.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

MICHAEL J. TIER: Member Saring made a motion that the variance requested be approved. Member Mattioni seconded the motion. Members Saring, Mattioni, Sassi, and Esposito voted in favor of the motion. The motion passed by the vote of 4-0.

GIAMO, LLC: On an application for a Special Exception from Plymouth Township Zoning Ordinance No. 342, as amended, Article XV, Section 1502.J and Variances from Plymouth Township Zoning Ordinance No. 342, as amended, Article XV, Sections 1500 & 1503.

The Special Exception and Variances requested are as follows: A Special Exception, or in the alternative Variances, to install a truck scale, mobile office and pole building for use as a construction debris and recyclable materials sorting center.

The property is located at 1306 Conshohocken Road in a "Heavy Industrial" Zoning District.

Craig Robert Lewis, Esq. was present to represent the applicant in presenting their application.

Mr. Lewis advised that the applicant currently owns 1306 Conshohocken Road. Mr. Lewis stated that the applicant utilizes the property for the storage of dumpsters. Mr. Lewis advised that the dumpsters are filled at construction, and then these dumpsters are brought back to the applicant's site by trucks.

Mr. Lewis advised that the applicant will currently take the dumpster cans to a landfill or recycling center. Mr. Lewis stated that now the applicant desires to sort through the materials, and only the recycled materials would be moved to the recycling center. Mr. Lewis advised that the non-recycled materials would be taken to the trash to steam facility.

Mr. Lewis advised that there is a question on how the Ordinance would permit a recycling

facility in a "Heavy Industrial" District. Mr. Lewis stated that a special exception is requested for a similar use that is already permitted, and in the alternative a variance is requested. Mr. Lewis advised that the variance is requested because the Ordinance does not have a defined term for a waste recycling facility, and the use is prohibited in a "Heavy Industrial" District.

Mr. Lewis advised that the applicant proposes the use to be limited to 50 tons per day under his DEP Permit. Mr. Lewis stated that if the applicant wants to exceed 50 tons in the future he will have to obtain a different permit from DEP. Mr. Lewis advised that DEP can come onto the site at any time to make sure that the applicant is not exceeding capacity limits.

Mr. McGrory asked if the applicant would accept as a condition of approval to stand at a maximum of 50 tons per day. Mr. Lewis advised that this is acceptable with the understanding that the applicant can come back before the Zoning Board to explain why expansion can take place.

Mr. Lewis advised that other facilities are doing similar uses on adjacent properties. Mr. Lewis stated that the applicant's lot is unique in that it is undersize. Mr. Lewis advised that the property is up against a railroad and the river. Mr. Lewis stated that neighbors have no objections to the proposal. Mr. Lewis advised that there will be no detrimental impact on the community.

Mr. Charles Giamo was sworn-in to testify.

Mr. Giamo advised that he agrees with the facts and conclusions brought forward this evening by Mr. Lewis.

Mr. McGrory asked if the variance would be better relief than the special exception. Mr. Lewis advised that variance relief would give the Township more protection. Mr. Lewis stated that the special exception relief can be withdrawn.

Member Mattioni inquired about the days and hours of operation. Mr. Giamo advised that he would operate Monday through Friday 7:00 AM to 3:30 PM, and Saturday Morning from 8:00 AM to 12:00 Noon.

Member Mattioni noted that the proposed is not suppose to include commercial deliveries by outside contractors. Mr. Giamo advised that the proposal concerns materials that he generates only on his site. Mr. Giamo stated that there are no plans to accept materials from other parties.

Member Mattioni asked how is access done to enter the site. Mr. Lewis advised that there is an existing shared driveway with larger facilities that is used to enter the applicant's site.

Member Mattioni asked if the whole site is fenced in. Mr. Giamo advised that fencing is not around the entire site. Mr. Giamo stated that 2 sides are fenced in. Mr. Giamo

advised that fencing is near the railroad, and fencing is also in the area of the utility line service.

Member Saring asked how often will pick ups be done at the site during a workday. Mr. Giamo advised that a limit of 12 pick ups will occur during a business day. Mr. Giamo stated that a container has a maximum for 4,000 tons.

Member Esposito asked how frequently would the DEP come to inspect the site. Mr. Lewis advised that the DEP has the right to inspect at any time. Mr. Giamo stated that he believes DEP would come at least once annually to the site. Mr. Lewis noted that the scale for the records of vehicle deliveries is done on a computer, and DEP has the right to review these records at any time. Member Esposito stated that he believes the records must be kept for at least 5 years.

Member Mattioni inquired about the building that will be added. Mr. Lewis advised that this is more of a pole structure. Mr. Lewis stated that this will be used to protect materials from the bad weather. Mr. Lewis advised that an existing slab is at this location. Member Mattioni asked if this structure will be enclosed. Mr. Giamo stated that he hopes to have it enclosed.

Member Saring asked if the scale is necessary. Mr. Giamo advised that it is required by DEP that the records for deliveries be done by a certain scale.

Member Sassi asked if there is an interface for the electronic scale. Mr. Lewis advised that it is important to have an access to the records, and there will be an automatic uploading to keep the records up to date.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

GIAMO, LLC.: Member Saring made a motion that the variance requested be approved subject to the following:

- 1) There be a 50 ton per day limit.

Member Sassi seconded the motion. Members Saring, Sassi, Mattioni, and Esposito voted in favor of the motion. The motion passed by the vote of 4-0.

CHRIS ZORO COMPANY: On an application for Special Exception from Plymouth Township Zoning Ordinance No. 342, as amended, Article XIV, Section 1402.A.

The Special Exception requested is as follows: To permit a personal training facility.

The property is located at 1050 Colwell Lane, Building 2, in a "Limited Industrial" Zoning District.

Mr. Gregory Borkowski advised that the application for Chris Zoro Company requests that the application be continued until December 17, 2012.

Thomas Speers, Esq. entered his appearance this evening on behalf of Plymouth Township Council.

Member Saring made a motion that the Board grant a continuance for Chris Zoro Company until December 17, 2012. Member Sassi seconded the motion. Members Saring, Sassi, Mattioni, and Esposito voted in favor of the motion. The motion passed by the vote of 4-0.

The meeting was adjourned at 7:40 PM.

Respectfully Submitted,


Richard Clifford