



TOWN OF DOVER
 COUNTY OF MORRIS
 37 North Sussex Street, Dover N.J. 07801
 (201) 366-2200
LAND USE APPLICATION

FOR TOWN USE ONLY

For Action By : Planning Board Zoning Board of Adjustment
 Application No.: 224-04 Date Filed: _____
 Application Fees: _____ Initial Escrow Deposit: _____
 Taxes Paid To: _____ Meeting Date: _____
 Referrals: Police Fire Tax Assessor Shade Tree MCPB Other: _____

APPLICANT

Name: Peter Cipollini
 Address: 201 Mendham Road West
Morristown, NJ 07960 Telephone Number: [REDACTED]

Applicant is a : Corporation Partnership Individual

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning at least 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S.A. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns at least 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. **Attach pages as necessary to fully comply**

| Name | Address | Interest |
|----------|---------|----------|
| 1. _____ | _____ | _____ |
| 2. _____ | _____ | _____ |
| 3. _____ | _____ | _____ |

SUBJECT PROPERTY

Location/Address: 203 E. Blackwell St, Dover, NJ
 Block: 1904 Lot(s): 15

APPLICATION TYPE

SUBDIVISION:

Minor Subdivision Preliminary Major Subdivision Final Major Subdivision
 Amended or Revised Minor Subdivision Amended or Revised Preliminary Major Subdivision
 Amended or Revised Final Major Subdivision

Number of lots to be created (including remainder): _____

Number of proposed dwelling units (if applicable): _____

SITE PLAN:

Expedited Waiver of Site Plan Approval (EWSP) Waiver of Site Plan Approval Minor Site Plan
 Preliminary Major Site Plan Final Major Site Plan Amended or Revised Site Plan

Area to be disturbed: _____ Number of proposed dwelling units (if applicable): _____

Existing Use(s): _____

Proposed Use(s): _____

VARIANCE(S) / OTHER:

- Informal Review of Concept Development Plan
- Appeal Decision of an Administrative Officer (N.J.S.A. 40:55D-70a)
- Map or Ordinance Interpretation or Special Question (N.J.S.A. 40:55D-70b)
- Variance Relief - "hardship" (N.J.S.A. 40:55D-70c(1))
- Variance Relief - "substantial benefit" (N.J.S.A. 40:55D-70c(2))
- Variance Relief - "Use" (N.J.S.A. 40:55D-70d(1))
- Variance Relief - "Expansion of Non-Conforming Use" (N.J.S.A. 40:55D-70d(2))
- Variance Relief - "Conditional Use Standard Deviation" (N.J.S.A. 40:55D-70d(3))
- Conditional Use Permit (N.J.S.A. 40:55D-67)
- Direct issuance of a permit for a structure in a bed of a mapped street, public drainage way, or flood control basin (N.J.S.A. 40:55D-34)
- Direct issuance of a permit for a lot lacking street frontage (N.J.S.A. 40:55D-35)

PROPERTY OWNER

Property Owner is:

Same as Applicant Other Than Applicant

If property owner is other than the applicant, provide the following information on the property owner(s):

Name of Property Owner: Peter Cipollini
 Address: 201 Mendham Road West
Morristown, NJ 07960
 Telephone Number: [REDACTED]

SUBJECT PROPERTY

Location: 203 E. Blackwell St, Dover, NJ

Block: 1904 Lot(s): 15

Dimensions: Frontage _____ Depth _____ Total Area _____

Last Previous Occupancy: _____

Prop. Lot Coverage: _____ % Prop. Building Coverage: _____ % Prop. Height of Building: _____

| | <u>Yard</u> | <u>Required</u> | <u>Existing</u> | <u>Proposed</u> |
|-------|-------------|-----------------|-----------------|-----------------|
| Front | _____ | _____ | _____ | _____ |
| Rear | _____ | _____ | _____ | _____ |
| Side | _____ | _____ | _____ | _____ |

Prevailing setback of adjacent buildings within subject block: _____

ZONING DISTRICT(S)

- RESIDENTIAL
- R-1 (Single-Family-7,500 SF) R-1S (Single-Family- Steep Slope) R-2 (Single-Family-5,000 SF)
 R-3 (Double Family-7,500SF) R-3A (Double Family/Rooming House) R-4 (Multifamily Garden Apt)
- NON-RESIDENTIAL
- C-2 (General Commercial) C-3 (Commercial - Lt. Ind.-Com.) RAD (Redevelopment Area Distr.)
 IND (Industrial) IND/OP (Industrial/Office Park)
- DOWNTOWN DISTRICTS
- C-1 (Retail Commercial) D1 (Station Area) D2 (Blackwell St. Historic)
 D3 (E. Blackwell Bus.) D4 (S. Downtown) BHRPA (Bassett Hwy. Redev. Plan Area)

Access Location(s): _____

Does the subject property contain restrictions, covenants, easements, association by-laws, existing or proposed on the property?

Existing: Yes (attach copies) No Proposed: Yes (attach copies) No

VARIANCES, DEVELOPMENT STANDARDS WAIVERS & CHECKLIST SUBMITTAL WAIVERS

Section(s) of Ordinance from which a variance is requested (attach additional pages as necessary):

Section(s) of Ordinance from which Development Standards waiver is requested (attach additional pages as necessary):

Waiver(s) Requested of Checklist Submittal Requirements (attach additional pages as necessary):

DESCRIPTION OF APPLICATION

Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use(s) of the premises (attach pages as needed):

Applicant received a ruling in 1991 that lot 14 could be used for the roofing business. The CO issued on September 26 does not provide for this. (see attached)

Describe all on-site, off-site and off tract improvements proposed:

none proposed

Describe any prior applications to the Planning or Zoning Board for this property, including date, applicant, nature of application and Board action:

Site Plan in 1990's (withdrawn)

SUBMITTALS

List of plats and other material being submitted in support of your application (attach pages as needed):

| Title | No. of Copies | Prepared By |
|-------|---------------|-------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Propose To Testify? (Yes/No)

Applicant's Attorney(Required for Corporations) Mills & Mills P.C.

Address 1 Western Ave
Morristown, NJ 07960
 Telephone 973-538-0950 Fax 973-538-0034
 Email millsandmillspc@gmail.com

Applicant's Engineer TBD

Address _____
 Telephone _____ Fax _____
 Email _____

Applicant's Planning Consultant TBD

Address _____
 Telephone _____ Fax _____
 Email _____

Other Professional _____

Field of Expertise _____
 Address _____
 Telephone _____ Fax _____
 Email _____

CERTIFICATIONS

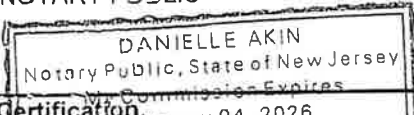
Applicant's Certification

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant.

(If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this 8 day of October, 2024

Danielle Ak
NOTARY PUBLIC



APPLICANT:

Peter Cipollini
(Printed Name)

[Signature]
(Signature of Applicant)

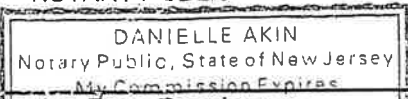
Owner Certification

I certify that I am the Owner of the property which is the subject of this application, and that I have authorized the applicant to make this application and that I agree to be bound by this application, the representations made and the decision in the same manner as if I were the applicant. I further certify that I am the individual Owner or that I am an Officer of the Corporate Owner and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership Owner.

(If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this 8 day of October, 2024

Danielle Ak
NOTARY PUBLIC



OWNER:

Peter Cipollini
(Printed Name)

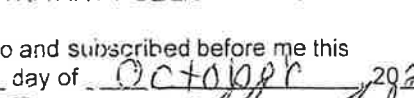
[Signature]
(Signature of Applicant)

Approval to Enter Premises

This Applicant and Owner hereby grant(s) permission to members of the various town government boards and agencies involved with this application to enter upon the subject premises for inspection and study pertaining to this application until the application is either granted or denied.

Sworn to and subscribed before me this 8 day of October, 2024

Danielle Ak
NOTARY PUBLIC



OWNER:

Peter Cipollini
(Printed Name)

[Signature]
(Signature of Applicant)

APPLICANT:

Peter Cipollini
(Printed Name)

[Signature]
(Signature of Applicant)

Escrow

I understand and that the sum of \$2026 has been deposited in an escrow account in accordance with the Code of the Town of Dover. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the additional amount and shall add that sum to the escrow account within fifteen (15) days.

Date

Signature of Applicant

TOWN OF DOVER

MAIL: 37 NORTH SUSSEX STREET
OFFICE: 100 PRINCETON AVE.
DOVER, NEW JERSEY 07801

CODE ENFORCEMENT DEPARTMENT
(973) 366-2200 EXT-2114

Final Certificate of Compliance

Date of Printout: September 24, 2024

Owner of Record on 09/24/2024:

CIPOLLINI PETER J & ANNE
69A MENDHAM AVE
MORRISTOWN NJ 07960

Tenant of Record on 09/24/2024:

EDUARDO SUAREZ

Proposed Purchaser (If Applicable for Certificate Due to Sale):

GERSHFIELD, BORIS
32 LAUREL ST
MORRIS PLAINS, NJ 07950

Re: Property located at: 207 E BLACKWELL ST
Dover, NJ 07801
Block 1904, Lot 14
Unit

Date of Issuance of Certificate: 09/24/2024

This is to certify that Unit located at 207 E BLACKWELL ST also known as Block 1904, Lot 14, has been inspected and substantially conforms to the requirements of the Town of Dover Property Maintenance Code and meets the State smoke detector, carbon monoxide detector and fire extinguisher requirements.

The approved Zoning Use is Single Family Residential.

Use Detail: ONE DWELLING UNIT

The Maximum Sleeping Capacity is 6 people . The dwelling unit contains 3 bedrooms.

The Town of Dover does not guarantee or warrant to purchaser, mortgagee or any other party in interest, that the premises are free from latent or other undiscovered defects; nor shall the Town of Dover be liable for damages or injuries caused to persons or property as a result of any violations reported or unreported herein.

This Certificate is being issued with the following stipulations: BASEMENT AND ATTIC ARE NOT TO BE USED FOR SLEEPING OR HABITABLE SPACE, STORAGE ONLY.

V.Guevara

Code Enforcement Department

TE

Town of Dover

COUNTY OF MORRIS
37 NORTH SUSSEX STREET
P.O. BOX 798
DOVER, NEW JERSEY 07802-0798

Telephone: 201-366-2200
Fax: 201-328-6604

ALDO CICCHETTI, Mayor

October 25, 1991

Mr. Peter Cipollini
4 King Street
Morristown, N. J. 07960

Dear Mr. Cipollini:

Re: SP-8-91 - Minor Site Plan
Block 19-04 - Lot 15
203 East Blackwell Street

At the September 25, 1991 Planning Board meeting, a motion was approved to carry your application until the October 23, 1991 meeting for the purpose of allowing you the opportunity to meet with Mr. Hantson, the Town Engineer, and Mr. Frank Dill, the Construction Official. This meeting was to review the unresolved issue of the conformity of the roofing business use that presently exists to the rear of the subject property.

Mr. Hantson reported to the Board at the October 23 meeting, based on his discussion with Mr. Dill, the roofing business use was permitted only in the rear of Lot 14. Lot 15 has never been approved for the use of the roofing business.

Due to the fact that you failed to appear at the October 23 meeting and the legal requirement that the Board act on your application within a 45 day period from the time of completeness, it was necessary for the Board to deny your application without prejudice. This does not preclude you from reapplying for the same matter in the future.

cc: McGrath
McDougall
Kane
Greb
TE

Very truly yours,

LaVerne Barrett

LaVerne Barrett
Clerk/Secretary - Pl. Bd.

William Hulmes,
59 Brook Drive
Dover, N.J.

Sworn in by clerk.

Jon Sperry
58 N. Essex St.
Dover, N.J.

Sworn in by Clerk.

The Clerk stated that the notices are in order.

Mr. Sperry stated they want to expand the existing building they already have which is 42' by 48' to a 40 to 50 foot length. This is to house the antique apparatus and to do maintenance work. This will basically double the size of the building. The front of the building will be unchanged. There are no variances required.

Michael Hantson
Jefferson Township
President of Suburban Consultants, Inc.

Mr. Hantson stated he has prepared the site plan in behalf of the Dover Volunteer Firemens Association. Mr. Hantson stated he is a licensed Professional Engineer, a licensed Professional Planner and a certified Municipal Engineer.

Mr. Hantson stated the addition will double the size of the building. It is to store fire apparatus and it will have two overhead garage type doors facing the south and one pedestrian access door on the same side of the building. Some additional paving is planned for the future which is shown on the site plan. It is about 2000 s.f. of paving.

Mr. Hulmes stated this building will be attached to the other with an access door to go from one to the other. It will not be one big open space. There are no plans to change the Firemen's operations. This is just for storage of antique apparatus and restoration.

THE MEETING WAS OPENED TO THE PUBLIC. AS NO ONE WISHED TO SPEAK, THE MEETING WAS CLOSED TO THE PUBLIC.

MOTION

Commissioner McGrath made a motion to approve the site plan. It was seconded by Alderman Iosso and passed by a roll call vote:

AYES: Alderman Iosso; Commissioners Kane, McGrath, Panetta, Ryan, Palovitz and Chairman Hooper.

NOES: None.

The motion was carried.

Peter Cipollini - Block 19-04 - Lot 15 - 203 E. Blackwell Street

Peter Cipollini
2 Eggbert Hill
Morristown, N.J.

Sworn in by clerk.

The notices are in order and the fees are paid.

Police Chief Pennella's report, dated September 25, 1991, was read and it stated he had reviewed the plans and does not foresee any problems.

Mr. Hantson read his report, dated September 1, 1991. A copy is inserted into these minutes.

Daniel Krief
45 Hillcrest Avenue
Morristown, N.J. Sworn in by Clerk.

Mr. Krief stated he is a registered architect in the State of New Jersey. At Mr. Cipollini's request, he was designated to design a new store front so that it would be safer, more functional and to beautify the building. The store front is in bad condition and this proposal will enhance the building. He explained how he will do this while pointing to the map. There will be no fill. The porch will be on pilings which will not do anything to the Floor Zone.

Mr. Hantson, in reply to a question from Alderman Iosso, stated that he does understand that it will be on pilings but the applicant will still need approval from the DEP as it is in the floodway. If the DEP states by letter that no permit is needed, Mr. Hantson stated that would satisfy him.

Commissioner McDougall stated the design is fine but the final matter is that the applicant has to file with the DEP.

Mr. Hantson stated if the Board approves the application, a condition should be that certification from the DEP is required that either a permit is not necessary or if one is, that the applicant get one. This is in the flood way and there is different criteria for work in the flood way as opposed to the flood plain. It is not the jurisdiction of the Planning Board.

Mr. Krief and Mr. Hantson discussed the need for the permit and the time that is necessary.

In reply to a question from Mr. Cipollini, Mr. Hantson stated the canopy is not a jurisdiction of the DEP.

Commissioner McDougall stated this would be a function of the Construction Official if he decides to issue a permit for the canopy.

Chairman Hooper asked if luncheonette is part of the proposal. Mr. Cipolli said there would be no food, only coffee, magazines, newspapers etc. There will be no cooking on the premises.

The Board discussed restaurant use and Mr. Hantson stated if sit down food were served that would constitute a change of use. This is retail and it was retail before. This is not a change of use.

Commissioner Kane asked for clarification about the back of the property.

Mr. Cipollini stated it is designated as parking and they have yet to need it as parking and for that reason there has been a fence across there. There is a paved area in the back which is suitable for parking. On that piece of property now, is the yard for the roofing company. There is no debris - it is open but fenced. If it is required by this Board, the fence will be removed to allow for parking.

In reply to a question from Chairman Hooper, Mr. Cipollini stated to the left of the house is a "no stop - no parking". In front of the house is two hour parking.

Mr. Creter stated the trucks go all around the back of the property and park on his property line. He discussed the position of the fence in detail and stated he thinks the fence is on his property.

Mr. Cipollini stated he has no problem with erecting a fence between the two properties.

Mr. Hantson stated on the site plan where it states "existing paved area", there is a 30 foot width dimension and another 20 foot width dimension across the parking area there. Perhaps a fence could be installed along the back of this parking area, as delineated, at the same time as the fence across the 12.3 foot area is removed, then the construction business that operates to the rear would be delineated into the back area and isolated from this commercial/residential use.

Mr. Creter stated the trucks never come in there but when they are parked it is on his side of the house and when they start at 6:00 A.M., that causes the problem. Mr. Creter and Mr. Hantson discussed the fencing while looking at the map.

Alderman Iosso suggested that maybe Mr. Cipollini and Mr. Creter share the cost of erecting the fence. Mr. Creter stated he is not the one asking for site plan approval. Mr. Creter stated he is asking the Board to take this into consideration as he has rights as a property owner there also. He has to listen to the tenants complain about the trucks starting up at 6:00 A.M. and people throwing things into dumpsters next to his house - banging and it is unfair.

Alderman Iosso stated this problem always exists when residential, commercial or industrial are in close proximity. Each party has rights. Mr. Creter stated he has no problem with what he wants to do - he is asking for a little protection.

Mr. Cipollini stated he put a stockade fence there realizing it was residential. Mr. Creter stated it is only part way and he would like to see it go all the way down with slats in it to protect his tenants.

Mr. Cipollini stated because of the expense he may have a problem with it.

Mr. Hantson stated there is 8.7 feet between the existing dwelling and the property line. If a fence were installed on the property line, it would be really cutting it close for a vehicle to get in.

There was a long discussion among the Board members and Mr. Creter about the fence. Mr. Creter stated it is a chain line fence and he is asking to have slats put in it so it blocks the view of the cars coming by. Mr. Cipollini stated in the back section it is a stockade fence so that it is not visible to the eye. The section of the fence that is visible at the rear of Mr. Creter's house has slats.

Mr. Hantson stated his basic understanding is that this use was a pre-existing non-conforming use - the construction use. It is not a permitted use in the C-1 zone. If that is a new use 1½ years ago, there should be a use variance for all of that.

Mr. Cipollini stated there was a plumber operating in the back when he purchased it and a baseball card store in the front. The store in front was actually empty. Bob Thorsell was the plumber.

stated he has a permit to operate there. He got this through the Building Inspector.

Chairman Hocper stated if that permit could be provided to this Board he can operate there.

Mr. Hantson stated if he can provide proof of a zoning permit, than this Board can consider these plan changes. In reply to Alderman Iosso, Mr. Hantson stated the zoning permit comes in many forms.

Mr. Cipollini stated he would search his files for some type of document. Mr. Hantson stated if Mr. Dill gave him authority to exist there, Mr. Dill would be able to produce a document.

Commissioner McDougall stated if Mr. Dill says it is a permitted use, the applicant must revise the plans and comes back at the next meeting. If it is not permitted, the applicant would have to go to the Board of Adjustment for a use variance and a site plan and for the new proposed use in the future.

Mr. Hantson stated some of the revisions are to have the construction business moved as far to the east as possible. He would like to see some demarcation line or some proposed fencing shown on here so that the site plan can be enforceable.

Mr. Greb stated if this is not a legal pre-existing use, this Board does not have the jurisdiction to tell him to draw the line.

Mr. Hantson stated not only should it be before the Board of Adjustment for this application but he would be in violation and should be cited for a zoning violation.

Mr. Hantson suggested setting up a meeting with himself and Mr. Dill and Mr. Hantson would explain to him everything that happened tonight and see what the outcome is.

AS NO ONE ELSE WISHED TO SPEAK, THE MEETING WAS CLOSED TO THE PUBLIC.

MOTION

Commissioner McGrath made a motion to carry the application until the October meeting. It was seconded by Commissioner McDougall and passed by a roll call vote:

AYES: Commissioners Kane, McDougall, McGrath, Panetta, Ryan, Palovitz, Alderman Iosso and Chairman Hooper.

NOES: None.

The motion was carried.

There was some discussion between Mr. Hantson and Mr. Krief and Mr. Hantson stated the newsstand could be opened tomorrow without any approval from this Board. Mr. Hantson stated the windows could also be changed without site plan approval. He could not put on the canopy or make any structural alterations without site plan approval. Mr. Hantson told Mr. Krief that the reason this application is before the Planning Board is because it is a structural alteration.

Mr. Greb stated the maps should be revised to provide the proper signature blocks. It was stated the smaller drawing is the site plan.

Mr. Hantson asked Mr. Krief if parking improvements are proposed for the site. Mr. Krief stated no, there are existing parking pavement and the fence will be removed to make it functional.

Mr. Hantson stated he was not able to go behind the building because of the fence. He looked over the fence and immediately behind it was some piece of equipment - some machinery that looked like it was there for a while. He stated if it were to be made functional the fence would have to be removed across the 12.3 foot dimensioned area on the plan and remove whatever debris exists in that area. If the plan is accurate, there are three parking stalls delineated.

Mr. Krief stated the three wheels stops are proposed to be installed.

Mr. Cipollini stated the machinery has been moved and cleared for the parking and it is just a question of removing the fence.

Mr. Hantson stated he would like to see the plan revised showing fence to be removed, wheel stops to be installed - the plan does not show what is going to be done versus existing.

THE MEETING WAS OPENED TO THE PUBLIC.

Kevin Creter
Randolph, N.J.

Sworn in by Clerk.

Mr. Creter stated he is not really opposed to the application. He is the property owner next door at 201 East Blackwell Street. He has some problems with the site itself. He knows he is also in the C-1 zone but has a pre-existing non-conforming use. He has a two family house there. Since Mr. Cipollini has moved in all his trucks, dumpsters and everything is parked right on his property line. They start at 6:00 in the morning and disturb his tenants. It is an eyesore looking over at it. He does not have a problem with what he wants to do. He would ask the Board as a condition of site plan approval to have him move his equipment to the other side of the lot where there is an auto repair shop. This will get the trucks away from his house. He would like a full cyclone or stockade type of fencing run up the driveway side because when his tenants come in or he had to show the apartments, they look over at that stuff and he cannot rent the apartments. He has had a real problem with trucks starting early in the morning - he has lost two tenants. It is a real hardship to him. He does not want to see a fence come down but a solid fence put up between there. He would like some protection for his property.

Mr. Cipollini stated he has put a stockade fence up along that side of the property. He stated he did extensive clean up of the property when he purchased it. It was in very bad shape. He stated he has owned the property about 1½ years. He is constantly trying to bring the appearance of it up.

In reply to a question from Commissioner McDougall, Mr. Cipollini stated he is running a roofing business out of the back of the property. The trucks get in and out of there from the property next door - he owns the house there. That is the reason the fence is across the 12 foot space, because access is from the other side. He stated he is making an attempt to keep the trucks away from the residents.

Mr. McGrath stated he only repaired oil burners. Mr. Thorsell has been out of there for 10 years. Commissioner McGrath stated when Mr. Cipollini bought this property there was no plumbing business there.

Mr. Cipollini stated when he purchased this property from Schwartz, he believed there was a plumbing business there.

Mr. Greb stated that 10 years is certainly a sufficiently long period of time to be deemed an abandonment of a non-conforming use. There is always a question of intention and time in order to determine whether or not there has been an abandonment. Lot of Towns, including Dover, say if you do not use it for that use for a year you lost the right to that non-conforming use. But a year is not really a realistic or enforceable period of time. A more realistic approach is one of intention and time. If the place has been vacant for ten years and no effort to rent or use it in the manner that it was used as a prior non-conforming use, one loses it.

Mr. Greb stated the applicant may need a use variance to permit the construction business or show the Board why he has the right to continue the pre-existing use. The applicant should be made aware that a Zoning Officer will be up to inspect the back of the property now that it has come to the Board's attention.

Mr. Creter stated he has no problem with Mr. Cipollini's use other than to ask him to move it to the other side.

Mr. Cipollini agreed to move the trucks to the other side.

Mr. Hantson stated he would like the site plan to be revised to reflect whatever limits the Board is talking about.

Mr. Creter stated after Mr. Thorsell left, the owner was Brian Schwartz and there was nothing there. Mr. Schwartz rented it out as housing. Mr. Creter stated there are 5 or 6 trucks, couple of dumpsters, roofing materials - it is quite an operation.

Mr. Cipollini stated he does not live in the building. He has three apartments there - all occupied. He stated he is aware of the tenants and parks trucks on the bodyshop side of the property. He stated the inground pool shown on the site plan has been closed in. It was like that when he bought it.

Mr. Hantson stated the applicant should revise the plan and he would like the Board to see the revised plan as to how he is proposing to segregate the uses.

Mr. Greb stated it should be made clear to the applicant that if this Board were to act on the revised maps, it would not make legal any other activity to the rear of the property.

Mr. Hantson suggested that the Board make an inquiry of the Zoning Officer as to determine if it is a conforming use. If that is true, the applicant can make whatever revisions to the site plan for the rear area for this Board to review. If the Zoning Officer determines that it is not a conforming use, the entire matter should probably go to the Board of Adjustment.

Mr. Cipollini stated when he purchased the property it was with the understanding that he could operate the roofing business out of the back. He

Martin Rappaport (Direct Mail) Block 6-03 - Lot 1 - Richboynton Road

Joe Pasternack stated he is the Attorney appearing on behalf of Martin Rappaport and Dover Industrial park.

The Clerk stated that the notices are in order, the fees paid and the taxes paid to date.

Commissioner McGrath read Police Chief Pennella's report, dated September 23, which stated he has reviewed the minor site plan and does not foresee any problems.

Mr Hantson read his report, dated September 19, 1991. A copy is inserted into these minutes.

Robert Delia
280 Grand Avenue
Englewood, N.J.

Sworn in by clerk.

Mr. Delia stated the MUA uses 10 parking spaces; Classic Metals has approximately 16 spaces and Direct Mail has 19 cars and 3 vans. The total tenant cars are approximately 49 and there is a total of 52 spots.

Mr. Delia stated as of Monday the striping was started but not completed due to rain. He was not able to check tonight as it was dark when he came to Dover. The striping will be completed with a few days if not already done.

The small area mentioned in Mr. Hantson's report as damaged, was repaired when the striper were there.

Direct Mail completes the tenancy of this building. Direct Mail has three trucks and they are using the four docks exclusively. On the site plan where it says "Common Loading Area", adjacent to G, will be exclusive loading for Direct Mail.

Mr. Delia stated the door mentioned in Mr. Hantson's report will be closed up by Direct Mail as they will not use it.

THE MEETING WAS OPENED TO THE PUBLIC. AS NO ONE WISHED TO SPEAK, THE MEETING WAS CLOSED TO THE PUBLIC.

Gary Marcello
2 Penny Lane
Boonton Township

Sworn in by Clerk.

Mr. Johnson stated he is the Attorney representing Direct Mail.

Mr. Marcello stated the parking areas Direct Mail would use are the parking between the two loading docks along the Richboynton Road. There is no parking available on the other side of Patco.

Southgate will remain open for 24 hours. There is a door shown on the site plan near the loading dock on area D. That has already been closed in. It is boarded up and the plans are to remove it and put the wall back permanently.

DMS will utilize both of the loading docks. The trucks that will use this are owned by DMS. They will be parked there at night. There are 4 vans and they are included in the count of DMS vehicles.