

**Mount Olive Planning Board
Summary Minutes
September 21, 2023**

Meeting opened at 7:00 pm with Pledge of Allegiance followed by roll call:

ATTENDANCE:

Planning Board Members:

Present:

Mr. Scapicchio, Mr. Schaechter, Ms. Natafalusy, Mr. Nelsen, Mr. Galop, Mr. Batsch, Mr. Weiss

Excused:

Mr. Forlenza, Ms. Mott, Mr. Mania, Ms. Shanaphy

Board Professionals:

Chuck McGroarty, P.P., AICP; Mike Vreeland, P.E., C.M.E.; Jeffrey K. Keller, Ph.D.; James Bryce, Esq.; Mary Strain, PB Secretary

MINUTES

Minutes of August 11, 2022 – approved.

Minutes of September 15, 2022 – approved.

Minutes of August 17, 2023 – approved.

Minutes of September 14, 2023 – approved.

RESOLUTIONS

PB 22-27 Veolia North America, LLC, 1 Eden Lane, Block 4500, Lot 37 – approved.

APPLICATIONS FOR PUBLIC HEARING

PB 22-25 Speicher, Michael

Minor Subdivision, d variance, Preliminary & Final Site Plan

Old Ledgewood Road

Block 4200, Lots 16, 16.03, 19 & 20

Appearing for the application: Michael Selvaggi, Esq.; James Glasson, P.E. of Civil Engineering, Inc.; Nick Dickerson, P.P.; Jeffrey Fiedler, Fiedler Real Estate; Michael Speicher, Applicant

Michael Selvaggi, Esq. reviewed the application for the Board. Some of the lots involved in Mr. Speicher's proposal are in Mount Olive Township and some are in Roxbury Township which is divided by Route 80. The application is seeking a use variance to allow the property to be used for Mr. Speicher's excavating business even though the property is in the R-3 Zone. The section of Old Ledgewood Road where the property is located has a predominantly industrial/non-residential setting. Mr. Selvaggi discussed the issues with getting the application filed due to Roxbury and Mount Olive boundary lines being inconsistent, which had to be settled between the municipalities. Mr. Selvaggi further noted that Lots 16.02 and 16 are proposed to be used for the corporation headquarters for Speicher Excavating.

Testimony

Mr. Speicher testified that he is the owner and president of Speicher Excavating. He purchased Lot 16, 62 Old Ledgewood Road in 2013 and decided to run his office out of the house on that property. Then the opportunity came up to purchase Lot 16.03 and he decided to buy that lot to create a buffer from other areas and businesses further down Old Ledgewood Road. He is proposing very little

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development on Lot 16.03. There will be a small area of parking on Lot 16.03. He has received approval from Roxbury Township after the municipal boundary line agreement with Mount Olive was complete. Mr. Speicher would like to run his office out of the house on Lot 16. The house will still remain a house and continue to look the same as it does now. There will be five employees working there. He is proposing to build a shop and warehouse on the property behind the house and on part of the property in Roxbury. There will be a partition to separate the garage and warehouse area. Most of his heavy equipment stays on site at the various projects they are working on. He currently has 50 field employees. The field employees do not come to the shop, they report directly to their work sites. Service work, mainly maintenance and light repairs for the machines and trucks, will be done at the site. There will be dump trucks and light utility trucks stored outside of the garage.

James Glasson, P.E., was present to testify as engineer for the application. Mr. Glasson presented Exhibit A-1: *Proposed site layout lot overlay plan (colorized version from submitted plans Sheet 6 of 10) prepared by James Glasson Civil Engineering, Inc. dated 3/3/23 Sheet 1 of 1*. Mr. Glasson explained the parking layout for the site. The driveway will be moved to the right side of the house. Most of the development will be on Lot 16.

Mr. Speicher discussed the proposed fencing. He also explained that there will be a motorized gate at the back of the office building. There will be landscaping to buffer the view of the storage area and garage in the back. He proposes that all traffic for his operation will come from Route 206 and not through the residential area. The warehouse will have ten bays and none of them will be rented out.

Truck traffic was discussed along with noise from the trucks. The Board had concerns about the residents in the area. Mr. Speicher reiterated that all traffic for his business will go in and out of the Route 206 side of Old LedgeWood Road away from the residential area.

Mr. Glasson presented Exhibit A-2: *Proposed minor subdivision (colorized version from submitted plans Sheet 5 of 9) prepared by James Glasson, Civil Engineering, Inc. dated 3/23/23 Sheet 1 of 1*. Mr. Glasson reviewed the various lots owned by Mr. Speicher. He explained about the border line inconsistency between Roxbury Township and Mount Olive Township along with the zoning issues caused by the problem. Mr. Glasson presented Exhibit A-3: *Existing conditions (colorized version from submitted plans Sheet 2 of 9) prepared by James Glasson, Civil Engineering, Inc. dated 3/3/23 Sheet 1 of 1*. He reviewed the existing conditions of the lots owned by Mr. Speicher and the layout of the lots. He explained that the proposal is to combine all four of the lots. He discussed the wetlands and the wetlands buffers on the plan. Mr. Glasson explained the office space and discussed setbacks. Mr. Glasson testified that the driveway will be moved to the right side of the house and the roadway will be reconstructed to drop the road so there is a better sight line. The drainage will also be improved and he explained the proposed improvements. He discussed parking and traffic circulation for the trucks. Mr. Glasson further explained about the warehouse with the dimensions of the structure. He testified to the proposed stormwater management and the septic system. He gave details of the lighting plan, landscaping and signage that was proposed. Mr. Glasson presented Exhibit A-4: *Proposed site layout exhibit prepared by James Glasson, Civil Engineering, Inc. dated 9/7/23 Sheet 1 of 1*. He pointed out the area that would be graded and walls that would be constructed.

Mr. Glasson presented Exhibit A-5: *Aerial photo taken 4/22/2023 prepared by Civil Engineering, Inc. dated 4/23/23 consisting of 1 Sheet*. He pointed out the enforcement line and the different business and residential properties along Old LedgeWood Road. Mr. Glasson presented Exhibit A-6: *Proposed site*

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plan overlay prepared by Civil Engineering, Inc. dated 4/23/23 consisting of 1 Sheet. He pointed out the potential impacts of the proposed development, which would be very limited.

Jeffrey Fiedler of Fiedler Real Estate was sworn in to testify as a licensed real estate broker for the application. Mr. Fiedler presented Exhibit A-7: *Block 4200, Lots 16, 16.03, 19 & 20 New Jersey AC +/- submitted by Jeffrey Fiedler, Fiedler Real Estate – pictures of area.* He pointed out the commercial and residential properties around the property. He noted that the Roxbury side of the area is all commercial and industrial properties. Mr. Fiedler then presented Exhibit A-8: *Block 4200, Lots 16, 16.03, 19 & 20 New Jersey AC +/- submitted by Jeffrey Fiedler, Fiedler Real Estate – pictures Lots 16, 16.03, 19 & 20.* He testified that the photo showed all the properties which continue down to Mr. Speicher's property are commercial properties. He stated that the property clearly fits in with the commercial zone.

The meeting was opened to the public. George Mooney of 47 Old Ledgewood Road said that he believed the area should remain all residential.

The meeting was closed to the public. The application was carried to November 16, 2023 meeting with no further notice required.

PB 23-02 Fairmont Property Management, LLC
Preliminary & Final Major Site Plan w/d variance
80 Flanders-Netcong Road
Block 4400, Lot 87

Appearing for the application: Peter Vasquez, Esq. of Vasquez Heldman; Jessica Caldwell, P.P.; Peter Chandler, P.E.; Kevin Wertman, Applicant

Peter Vasquez, Esq. addressed the Board and mentioned that the d variance is a preliminary issue because the use of the property is a permitted use in the zone, so a use variance would not be necessary. They will proceed with the use variance if the Board disagrees. It is a vacant lot in the C-LI zone where warehousing is a permitted use. The owner of this land is storing materials on the land, which is described in the Township ordinance as warehousing.

Testimony

Kevin Wertman, the applicant, was sworn in. Mr. Wertman testified that he was the owner of Fairmont Property Management, LLC. He is also the owner of Fairmont Services. Fairmount Services is an excavating and utility company. Fairmount Services stores the materials for their projects at 80 Flanders-Netcong Road. They also store their machines at the site in between projects. Materials stored on site include topsoil, rocks and debris that they then use for other projects. Parts ordered for projects are stored on site include pipes and catch basins. The primary site for Fairmount Services is in Netcong. The site at 80 Flanders-Netcong Road will be minimally accessed and used.

Jessica Caldwell, P.P., was sworn in to testify as Planner for the application. Ms. Caldwell noted that the property is in the Commercial Light Industrial zone district. The purpose of the district is to make use for a wide range of commercial uses. Outside storage areas are permitted provided the storage conforms to setbacks. Ms. Caldwell believed that the use was a principle permitted use under warehouse, shipping and receiving because the definition for warehousing within the ordinance is "any

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building, premises or land in which, or upon which, a principle business or industry involves the storage of goods and materials”. The applicant is using the land as a principle use of operation which involves the storage of goods and materials, similar to an indoor warehouse use, and therefore can be considered to be accessory outdoor warehousing.

The Board voted 7 in favor with none opposed approving the application is conforming to the C-LI zone and no use variance is required.

Peter Chandler, P.E. was present to testify as engineer for the application. Mr. Chandler displayed Sheet 2 of the site plan submitted for the application. Mr. Chandler described the layout of the site and surrounding area. The property is 7.9 acres in the C-LI zone with frontage on Goldmine Road and Flanders-Netcong Road. The access is from Flanders-Netcong Road. It is a gated entrance. The residential properties are several hundred feet to the south and all traffic from the site will go north on Flanders-Netcong Road to Goldmine Road. No improvements are proposed. The site will remain the same. A Highlands application is not required since the operations predate the adoption of the Highlands Water Protection and Planning Act. Also, no applications are pending with the NJDEP. He reviewed the uses on the site. He pointed out where wetlands were located on the site and noted that the area will remain undisturbed. He will supply a copy of the NJDEP letter to the Board. Mr. Chandler presented Exhibit A-1: *Four Historical dated photos from NJDEP, 2022 State of NJ Aerial, 2010 State of NJ Aerial, 3/23/2015 Nearmap Image, 3/8/2022 Nearmap Image*. The photos showed that the use of the site has been consistent throughout the time period of the dates listed on the photos and there are no encroachments of the wetlands.

Mr. Wertman stated that he had an NJDEP Permit for self-generation.

The Board voted 7 in favor with none opposed approving the application.

With no further business the Board adjourned at 9:54 pm.