

**Mount Olive Planning Board
Summary Minutes
December 14, 2023**

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

ATTENDANCE:

Planning Board Members:

Present:

Mr. Scapicchio, Mr. Schaechter, Mr. Forlenza, Ms. Mott, Ms. Natafalusy, Mr. Mania, Mr. Nelsen, Mr. Batsch, Ms. Shanaphy, Mr. Weiss

Excused:

Mr. Galop

Board Professionals:

Chuck McGroarty, P.P.; AICP; Mike Vreeland, P.E.; James Bryce, Esq.; Mary Strain, PB Secretary

COMMITTEE REPORTS

Ms. Mott reported on the Open Space Committee. They have opened 7 trails and they are exploring more. There was an article regarding open space on the front page of the Mount Olive News. The Committee will be selling plaques to put on wooden structures along some of the trails to defray some of the costs.

MINUTES

Minutes of November 16, 2023 – approved

RESOLUTIONS

PB 23-15 3000 Continental Drive Associates, LLC, 3000 Continental Drive, Block 200, Lot 1 - approved

PB 22-31(1) Pearland RJR, LLC - Façade Changes to Chipotle, 10-50 International Drive South, Block 4100, Lot 9.01 - approved

PB 23-12 Pearland RJR, LLC - Amended Sign Program Manual, 10-50 International Drive South, Block 4100, Lot 9.01 - approved

PB 22-33 Pearland RJR, LLC - Application Withdrawn, 20 International Drive South, Block 4100, Lot 9.01 - approved

ORDINANCE #35-2023

Mr. McGroarty reviewed Ordinance #35-2023 for the Board Members. It is scheduled with the governing body for a second public reading on December 19th. The ordinance is to rezone Lots 21 and 28 in Block 3203 from the R-4 Residential zone to the new R-8 Residential zone. The Ordinance will provide for 100 percent affordable housing. The ordinance will also preserve the area where two test wells are located so they can be utilized for future use if there is a need.

Ordinance #35-2023 Amend and supplement Chapter 550 Land Use to establish definitions and standards to rezone Lots 21 and 28 in Block 3203 from R-4 Residential to New R-8 Residential Zone District - approved

EXTENSION REQUEST

PB 22-20(1) Paul Tricoli

7 Southwind Drive

Block 4500, Lot 4

**Mount Olive Planning Board
Summary Minutes
December 14, 2023**

Michael Selvaggi, Esq. was present for the extension request along with the applicant Paul Tricoli. Mr. Selvaggi explained that Mr. Tricoli needs a little more time for the project and plans to start work in 2024. There will be no changes to the plans.

Ms. Mott made a motion to approve the extension request for PB 22-20(1), seconded by Mr. Nelsen. The Board voted 9 in favor with none opposed to approve the extension request.

APPLICATIONS FOR PUBLIC HEARING

PB 23-13 Lowe's Home Center, LLC

Amend Preliminary Site Plan Sections 1 & 2, Final Site Plan Section 1
20 International Drive
Block 4100, Lot 9.01

Application carried to January 11, 2024 meeting with no further notice required.

PB 23-18 Saxton Falls Sand & Gravel Company, Inc.

Operation & Remediation Plan Update - 2024 License Year
66 Waterloo Valley Road
Block 700, Lots 2, 3, 4, 5 & 8; Block 701, Lots 4 & 6; Block 800, Lot 40

Appearing for the application: Michael Rodgers, Esq.; Richard Schindelar, applicant

Mr. Schindelar was sworn. Mr. Schindelar explained he is the owner of Saxton Falls Sand and Gravel Company. He was present with his attorney to request a renewal of the license for the year 2024. He gave a brief overview of current work that is happening. They are still mining in the back of the site near the pond. It was a slow year and not a lot of ground excavation took place. The dredge is still in testing mode and not working. They are still mining and processing the same way as they did last year and nothing has changed. They have continued to move forward on remediating the CAP plan. Ms. Van Zant of NJDEP conducted an inspection sometime around the end of July or beginning August. Ms. Van Zant advised him to continue processing, excavating and carrying out the CAP plan. Robert Clark from the NJDEP did an inspection on December 13th. Mr. Clark will be the new inspector for the site. Mr. Clark advised that everything was acceptable. Mr. Schindelar further explained that they will now start backfilling to bring the site back up to level. Work will be very slow because of the weather and will probably continue again in the spring. They have not brought in any clean fill. The stormwater permit for the site was deemed complete by the NJDEP and he hopes to receive approval for that permit very soon.

Mr. Weiss opened the meeting to the public for questions and testimony. Robert Maier of 12 Waterloo Valley Road was sworn. Mr. Maier asked Mr. Vreeland about the quarterly reports for the site. Mr. Vreeland responded that he has prepared the quarterly reports, which get submitted to the Township Administrator. Mr. Maier was concerned about a permit for the site for 6,000 cubic feet of fill. He believe that would be 300 to 400 dump trucks coming to the site. Mr. Vreeland explained that there were two permits and his office reviewed the permits. Neither of the permits were acted on.

A motion to approve Application PB 23-18 for Saxton Falls Sand and Gravel Company Operation and Remediation Plan - 2024 License was made by Mr. Nelsen, seconded by Mr. Scapicchio. The Board voted 9 in favor and none opposed approving the application.

**Mount Olive Planning Board
Summary Minutes
December 14, 2023**

PB 23-17 Motion Motors Mount Olive, Inc./Motion Lincoln Mercury, LLC

Minor Subdivision Preliminary & Final Site Plan w/variances

412 Route 46, 1 & 3 Harris Lane

Block 8200, Lots 7, 8, 9 & 10

Mr. Weiss announced that he would be stepping down from the application and Ms. Natafalusy will Chair the application.

Appearing for the application: Michael Selvaggi, Esq.; James Glasson, P.E.; Jeffrey McEntee, AICP; John McDonough, P.P.; Ben Dellamo, applicant

Michael Selvaggi, Esq. explained what the application is requesting. They have come up with a plan that satisfies the Highlands approval standards for the project. The plan is also compliant with a majority of the Township regulations. The application is for a new car dealership, which is a permitted use on the site. The plan will need some minor bulk variance relief.

Ben Dellamo, the applicant, was sworn. Mr. Dellamo testified that he was owner and chief shareholder for Motion Motors Mount Olive and had majority member ownership of Motion Lincoln Mercury. Mr. Dellamo explained that Lots 8, 9 and 10 in Block 8200 were owned by Motion Lincoln Mercury, and Lot 7 in Block 8200 is owned by Motion Motors Mount Olive. He would like to put a new Kia car dealership on the site and will be moving the current Kia dealership located across the highway. It will be a brand new site for sales and service. The proposed building is approximately 19,000 square feet. There will be about 16 full-time employees and 4 part-time employees. The site will be able to handle a few more customers than the current site. A large percentage of business will be drop offs for service and there is a designated drop off area. Service hours will be 7:30 am to 6:00 pm, Monday through Friday, and 8:00 am to 3:00 pm on Saturday. The new building will provide a larger more efficient sales area and there will be 5 sales persons. The Sales Department will be open from 9:00 am to 9:00 pm during the Summer months. In the winter months it will be open 9:00 am to 8:00 pm, Monday through Friday, and 9:00 am to 6:00 pm on Saturday. The site lighting will be set on a timer. At 10:00 pm the lighting changes to security lighting which is much dimmer than the lighting used during business hours. The site will allow for more inventory than the current site. They sell about 5 cars per day. Deliveries will be approximately 1 car carrier truck load per week, possibly 2 carriers per week at the most, and at times there will be no deliveries during a full week. Parts are also delivered periodically and they get dropped off at the parts section on the side of the building. Garbage is picked up between 10:00 am and 11:00 am on Tuesdays. There will be EV stations at the site. Mr. Dellamo indicated that currently the State requires 2 EV stations inside and 2 EV stations outside, which are shown on the plan. There will be soil removal involved with the plan. Mr. Dellamo noted that he was hoping they could sell the removed soil. Lastly, Mr. Dellamo testified that he was not sure what he plans to do with the existing building, which is presently being used as a Kia dealership, but it will continue as some type of automotive use.

Mr. McGroarty asked about the driveway configuration and how deliveries will be handled. Mr. Dellamo explained the plan and noted that it will be a more efficient for the car carrier trucks to unload. Mr. McGroarty asked about the signage for the existing dealership and the new signs proposed for the site. Mr. Dellamo explained that car dealerships do not own their signs. They are provided by the manufacturer and Kia will apply for the sign permits. Mr. McGroarty noted that the

**Mount Olive Planning Board
Summary Minutes
December 14, 2023**

Board can put a condition of approval that Kia can submit a zoning permit application for the signs as long as the size and height does not change from the existing sign, so another site plan will not be required. Mr. Dellamo further explained that the old pylon sign for the existing site will be removed and a new pylon sign will be constructed for the new site. The signs on the building will also be done with a package from Kia and should be similar to what is on the existing building.

The mezzanine for the proposed building was discussed. Mr. Dellamo explained that the mezzanine is very small and may be used for training purposes. The manufacturer requires that the building be at a certain square footage to allocate the cars in the building and the mezzanine will contribute to the square footage.

James Glasson, P.E., the engineer for the application, was sworn for testimony. Mr. Glasson presented Exhibit A-1: *Existing Conditions Rendering*, a colorized version prepared by Civil Engineering, Inc., dated 12/8/23 consisting of 1 sheet. Mr. Glasson noted that the application is for a minor subdivision and a site plan. It involves 4 lots located on Route 46, Harris Lane and Sand Shore Road. Mr. Glasson described each of the lots individually and noted the size of each lot. All the lots are in the C-2 Zone which requires a minimum lot size of 2 acres. He also listed the impervious coverage of each lot. Mr. Glasson explained that the Highlands Act has exemptions that the applicant is entitled to apply for. They have applied for Exemption #4, which requires the applicant to retain 125 percent of the coverage that existed in 2004. Mr. Glasson presented Exhibit A-2: *Existing Conditions 2004 Rendering*, a colorized version, prepared by Civil Engineering, Inc., dated 12/8/23 consisting of 1 sheet. Mr. Glasson explained that in 2004, two of the lots were erratically different. He pointed out the one lot was owned by Mr. Kevil of Kevil Chevrolet and there was a residential home existing on the lot with a gravel parking lot, so the applicant will get credit for that area. He further explained that Lot 10, was much different because it was a storage area for a garden center with much greater coverage then compared to what is there now and the applicant will get credit for that area. The combination of the coverage on the existing site, plus the three more properties will allow the applicant to create coverage to equal the requirements for the Highlands Exemption #4 within the 125 percent limit and from that the applicant is requesting a subdivision. Mr. Glasson presented Exhibit A-3: *Minor Subdivision Rendering*, a colorized version, prepared by Civil Engineering, Inc., dated 12/8/23 consisting of 1 sheet. Mr. Glasson pointed out the Motion Chevrolet parcel with a 13,000 square foot area that they are taking out of the parcel, which still leaves the parcel of Motion Chevrolet completely compliant with the C-2 Zone and reduces the size from 9.9 acres to 9.6 acres. All the building setbacks are maintained. All the coverages are well beyond the limits within the 60 percent allowable lot coverage and the 20 percent allowable building coverage. They are taking the area of 13,000 square feet and adding it to the areas of Lots 8, 9 and 10 to create one new lot which is designated by the Tax Assessor as Lot 10. Ultimately, they will end up with Lots 7 and 10. Lots 8 and 9 will be eliminated. That 2.573 acres also accounts for the creation of a dedication along Harris Lane which completes the dedication of Harris Lane. The new lot has 200 feet of frontage along Route 46 and 405 feet of frontage on Harris Lane. The depth of approximately 200 feet is still maintained to the common property line with the current dealership.

Mr. Glasson presented Exhibit A-4: *Site Layout Rendering*, colorized version, prepared by Civil Engineering, Inc. dated 12/8/23 consisting of 1 sheet. The proposed building is 75 feet wide as it fronts on Route 46 and has a depth of 205 feet. It has a drive thru service reception area with 4 bays. There is an additional 12 bay service area in the back that bumps out an additional 30 feet. The total square footage of the first floor will be 10,060 of sales and showroom, and 9,043 square feet of service

**Mount Olive Planning Board
Summary Minutes
December 14, 2023**

area. The second floor is 200 square feet of mezzanine so the entire building has a total gross floor area of 19,303 square feet. The floor area ratio, height and coverage are all compliant with the Township Code. There is a parking lot around the building. The entrance from the existing dealership will be utilized for the site and there will be an access easement. Mr. Glasson also discussed traffic circulation and parking. Ninety-eight parking spaces are required and the site will have 75 spaces, so the applicant is asking for an exception for the parking spaces. The parking was discussed and it was noted that the tandem parking spaces in the back of the site will be controlled by the dealership employees for cars being serviced.

Mr. Glasson discussed the grading involved for the proposed project. He pointed out various elevations in areas of the site. Kia is requiring that the site be a pad site, in which case a retaining wall will be necessary. He explained the location of the retaining wall to the Board Members. The wall will start out at 6 inches on Harris Lane. It will rise as high as 13 feet and then drop back down to 6 feet across the back and will end adjacent to the other dealership. The wall will have a 42 inch fence with shrubs on the top. The wall will hide the parked cars on Harris Lane and only the building will be visible. Mr. Glasson noted that the wall will be a visual buffer for the residential properties in the area. He further discussed the fill quantity and quality that will be removed.

Mr. Glasson further testified that there is no sewer available so there will be a septic system installed. He pointed out the area where the septic will be located. It will be a pump system with a septic tank that will be fed by gravity. There is a proposed well for water supply and he showed the location for the well on the plan. He pointed out the dumpster area with a gated fence, which will be 16 feet by 16 feet in the back of the site. Mr. Glasson explained the stormwater management system for the Board Members and noted that it has been designed in compliance with the new regulations. The impervious coverage on the site is within the 60 percent. The landscaping does not meet the 25 foot buffer but there is landscaping throughout the property. For the lighting they are proposing 13 pole mounted lights at 18 feet and four building mounted lights. There will be a freestanding sign in the front of the site. It will be 12 feet by 17 feet with a maximum height of 15 feet and is proposed to be a be lighted sign box type of sign. There will also be EV and handicap signs along with stop signs on Harris Lane and Route 46. He also showed the handicap parking space locations.

Mr. Glasson talked about the variances being requested. They are asking for a variance for the front yard setback on Harris Lane. Also, the setbacks on left and right sides of the site will be deficient. A variance will also be needed for the height of the retaining wall. Mr. McGroarty noted the exceptions for some of the parking space setbacks. Mr. Glasson presented Exhibit A-5: *Loading/Unloading Turning Movements Rendering*, colorized version, prepared by Civil Engineering, Inc. dated 12/8/23 consisting of 1 sheet. The no left turn out of the site on Harris Lane was discussed along with the unloading of the car carriers at the site.

Mr. McGroarty commented regarding the landscaping buffer and using cypress or green giants trees as replacements. It was also noted that there will be no tree removal.

The third witness, Jeffrey McEntee, AICP, was qualified as the architect to testify for the applicant. Mr. McEntee described the building, which is a modern design used by Kia for their car dealerships. All roof top HVAC equipment will be screened. There are no additional façade signs proposed. It was noted that any additional façade signs in compliance with the Township Ordinance can be approved with a zoning permit.

**Mount Olive Planning Board
Summary Minutes
December 14, 2023**

John McDonough, P.P., was sworn to testify as professional planner for the applicant. Mr. McDonough noted that this plan is a good integration with the neighborhood. It will maintain continuity with the other car dealerships that already exist in the area. It is a permitted use in the zone. It will be an economic benefit and will enhance an established business with a longstanding commitment to the community. It will provide for operational efficiencies to better serve the public with a newer more modern facility than what presently exists. The project is in substantial compliance with the Township's C-2 Zone district. The project also complies with the bulk standards including building height, size and lot coverage. The applicant is requesting relief from setbacks for the positioning of the building. The front yard setback is 53.2 feet from Harris Lane where 90 feet is the minimum requirement. Also, the side yard setback is proposed to be 52.5 feet where 60 feet is the minimum required. Mr. McDonough further indicated that there is a legitimate hardship related to the shape of the property and a relatively narrow building envelope because of the 2 frontages that the lot fronts on. The Highlands requirements is also influencing the building positioning on the property. The retaining wall will not be an obtrusive structure to the public eye and he believed that the wall contributed to the planning goal of efficient use of land. He noted that the project is well balanced and the benefits of the application as a whole would substantially outweigh the detriments. He concluded that he believed that the Board had enough evidence on the record to move favorably on c1 or c2, or both if it sees fit, and all relief being requested could be granted without any substantially adverse impacts to the public or the Township Zone Plan.

Ms. Natafalusy opened the meeting to the public for questions. Seeing no one, the meeting was closed to the public.

Mr. Schaechter made a motion to approve PB 23-17 with conditions as noted, seconded by Mr. Scapicchio. The Board voted 9 in favor with 0 opposed, to approve application PB 23-17 for Motion Motors Mount Olive, Inc./Motion Lincoln Mercury, LLC minor subdivision, preliminary and final site plan with variances.

Mr. Weiss announced that the December 21, 2023 meeting is cancelled. The reorganization meeting will be held on January 11, 2024.

With no further business the Board adjourned at 8:55 pm.