

**Mount Olive Planning Board  
Summary Minutes  
November 17, 2022**

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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. Galop, Mr. Batsch, Ms. Shanaphy, Mr. Weiss

**Excused:**

Mr. Nelsen

Board Professionals:

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

**RESOLUTIONS**

PB 22-18 6 Bartley Road, LLC, 6 Bartley Chester Road, Block 6900, Lot 19 - approved

PB 18-18(1) Schier, Howard, 6 Red Maple Lane, Block 4600, Lot 6.12 - approved

**APPLICATIONS FOR PUBLIC HEARING**

PB 22-12 JAS Group Enterprise, Inc.

Block 105, Lot 1; Block 106 Lots 2 & 3

Preliminary & Final Major Subdivision

Preliminary & Final Site Plan w/variance

Appearing for the application: Larry Calli, Esq.; Douglas Szabo, P.E.; Nathan Mosley, P.E. of Shropshire Associates; Paul Ricci, AICP, P.P.

Mr. Calli summarized the discussion and presentation from the last Planning Board meeting held on October 13<sup>th</sup> for this application. He also briefly explained what would be proposed that evening.

**Testimony**

Applicant' first witness, Nathan Mosley, P.E., provided testimony as traffic expert utilizing his report dated June 17, 2022. He gave a brief overview of the roadways in and around the project site. Mr. Mosley testified that his office did a traffic count study at the intersection of International Drive and Continental Drive in March of 2022 for AM peak hours 7:00 to 9:00 am and PM peak hours 4:00 to 6:00 pm. His analysis projects a 1.5 percent anticipated annual background growth for traffic in the area of the project. The proposed residential development is not expected to impact the LOS B for morning and afternoon peak hours. The analysis also included Continental Drive and Love Lane finding adequate capacity for this development.

In response to questions from the Board and professionals, the witness offered that the internal road network is expected to become public streets, off-tract signage at the railroad crossing will be considered, and resurfacing of Continental Drive and Love Lane may be necessary through a fair share mechanism.

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Paul Ricci, AICP, P.P. provided testimony as applicant's professional planner. Mr. Ricci noted that the project is as close to conforming as possible for a project of this size. The zone requires 50 acres and the site is 110 acres. Twenty percent of the project will be affordable housing units including one, two, and three bedroom distribution for low, very low and moderate-income households. Mr. Ricci addressed the PURD standards in Section 5 of Mr. McGroarty's report, concluding that the proposed residential development is consistent with same and furthers the goals of the Township's Master Plan and the purposes of the MLUUL.

A buffer of 100 feet to the Morris Canal is provided and 40 percent of the project will be open space per Ordinance standards. Mr. Ricci addressed the variance requested for the retaining walls which will be 7 to 18 feet in height, thus exceeding the maximum six foot height or terraced configuration. The higher walls will reduce overall site disturbance, preserve a greater number of trees, and allow for better grading along the proposed walk/bike trail. Mr. Ricci testified that the site will promote the general welfare, and also promote appropriate locations for residential uses to meet the needs of New Jersey citizens. He believed that the project advances the Township's intent of the Master Plan and Zoning Ordinance because the project is so largely conforming. Mr. Ricci projected a school-age population of 212 children based on an approximate total population of 1,404 new residents, and asserted an overall positive fiscal benefit. Mr. Schaechter took issue with the school age projections suggesting recent experience shows higher numbers are likely.

Douglas Szabo, P.E., project engineer, testified that he reviewed the Melick-Tully geotechnical report confirming burial of tree stumps and debris in the southern part of the Ridge Tract as noted in Mr. McGroarty's report. The unsuitable material will be removed in its entirety during the project construction and replaced with suitable material as recommended in the geotechnical report. The witness verified that no homes or structures will be located in these remediated areas.

Mr. Vreeland asked if this would be a 'balanced' project or require fill to which the witness responded it had yet to be determined. Responding to other questions from Mr. Vreeland, Mr. Szabo confirmed studies were underway to evaluate noise from adjacent highways and that open space calculations do account for stormwater basin areas. Mr. McGroarty raised concerns about potential fences on/across drainage easements between lots.

No public came forward for questions. The application was carried to January 12, 2023 meeting.

PB 22-21 AVR Enterprises, LLC  
152-156 Route 46  
Block 3207, Lot 7  
Site Plan w/d variance

Appearing for the application: Ronald Heymann, Esq.; David Krueger, Environmental Consultant;  
Frank Matarazzo, P.E.; Rodrigo Ponce, Applicant

Mr. Weiss opened the session with commentary directed to Mr. Ponce regarding the refusal by his employees to allow Mr. Weiss access to the site to review and inspect in preparation for the public Board meeting. Mr. Weiss further explained to Mr. Ponce that any members of the Planning Board who would like to inspect his site should not be denied access.

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Mr. Schachter said that he had inspected Mr. Ponce's site and noted numerous discrepancies from what was testified to at the last Planning Board meeting for the application including some 19 vehicles and extensive fill in the back of the property.

Rodrigo Ponce testified that the property for his business, AVR Enterprises, was still owned by Charles Wohlleb who is now one of his employees. Mr. Ponce indicated he was not sure of the amount of fill material placed on the site but did submit the receipts from Saxton Falls Sand and Gravel documenting the loads brought to the property. in addition to several loads brought by a local pool contractor.

Mr. Ponce further testified that he has reduced the proposed number of parking spaces to 36 and added two fuel tanks to serve the vehicles on site. He further testified that excess vehicles on the site will be removed by the end of the week.

The Board had concerns about the number of inoperable and salvaged vehicles on the site, which has been an ongoing issue at the site. Also, there were vehicles marked as having no insurance. Mr. Ponce testified that there will be no more salvaged or uninsured vehicles on the site.

Exhibit B-1, *14 Photos taken by Mr. McGroarty on November 8, 2023*, were distributed to the Board and the applicant. A brief discussion of zoning and property maintenance violations and status thereof occurred with Mr. Heymann noting the site plan and variance application was in response to same.

Exhibit B-2, *Survey for Wohlleb Realty Block 3207, Lot 7, dated August 23, 2007 with a revision date of July 20, 2012* was presented by Mr. McGroarty wherein three monitoring wells are identified. Mr. Ponce asserted he had no knowledge of such wells on site.

Mr. Weiss opened the meeting to the public. Paul Capone of Elizabeth Lane asked about statues of violations and fines which Mr. Heyman addressed. Mr. Capone followed with a question concerning capacity of fuel tanks proposed to which the applicant stated two 2500 gallon above ground tanks were proposed.

Ron Cherry of 22 Elizabeth Lane came forward with photos of off-site drainage concerns, however; he was advised to hold same until the environmental expert testified. Mr. Cherry also questioned if permits had been secured prior to site works. Mr. Heymann confirmed no permits had been issued.

David Krueger, applicant's environmental consultant followed describing his tasks for this project including checking previous wetland delineations and efforts to secure permits from NJDEP to fill some 2,300 sq. ft. of isolated wetlands on westerly and northerly portions of the site.

Mr. Krueger also indicated that he would do further research regarding the monitoring wells.

Public questions for Mr. Krueger were presented by Mr. Cherry concerning the environmental impact on area wells from oil leakage/spills and unmanaged stormwater runoff.

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Applicant's last witness for the evening was Frank Matarazzo, P.E., the engineer and surveyor who prepared the site plan. Mr. Matarazzo noted that the topography shown on his site plan represented current conditions. Mr. Matarazzo addressed the existing and proposed grading, and presented Exhibit A-21: *Preliminary/Final Site Plan prepared by Matarazzo Engineering, LLC, revised 11/4/23, Sheet 4 of 7 - Colorized version*. Mr. Matarazzo explained that the plan depicted the revised site layout. The parking spaces were reduced. The proposed fence will be located 10 feet behind the right-of-way line. There will be two tiered retaining walls along the left of the property. The left rear corner is where the above ground storage tanks will be located. Mr. Matarazzo also reviewed the landscaping and lighting plan. An exception is being requested from the Planning Board to not have to pave the back area of the site and put gravel in place so that the impervious coverage will not be increased, which will reduce the amount of stormwater runoff.

The application was carried to January 19, 2023 meeting with no further notice required.

With no further business the Board adjourned at 10:04 pm.