

**Mount Olive Planning Board
Summary Minutes
June 8, 2023**

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

ATTENDANCE:

Planning Board Members:

Present:

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

Excused:

Mr. Scapicchio, Ms. Shanaphy

Board Professionals:

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

MINUTES

Minutes of May 20, 2021 – approved.

Minutes of April 13, 2023 – approved.

RESOLUTION

PB 22-31 Pearland RJR, LLC, 10-50 International Drive, Block 4100, Lot 9.01 – tabled.

APPLICATIONS FOR PUBLIC HEARING

PB 23-03 MFC Mountain Ridge Estates

Minor Subdivision

8 Chamberlain Lane

Block 4100, Lot 71

Appearing for the application: James L. Lott, Esq., of Riker Danzig; Hal Simoff, P.E., Applicant

Testimony

Mr. Lott provided an overview of the application. Mr. Simoff, P.E., was sworn in and provided testimony that the applicant is seeking a minor subdivision approval. The existing lot is 37,929 square feet in size. The applicant is proposing to create two lots, one lot being 20,818 square feet and the other lot being 17,111 square feet. Mr. Simoff noted the minimum lot area within the zone district is 15,000 square feet and noted the property is located along a right-of-way. Mr. Simoff testified that the lots to be created have compliant building envelopes and are appropriate for development. Mr. Simoff indicated that the minor subdivision was fully conforming and requires no variance relief. The applicant will confirm sewer capacity prior to development. They intend to perfect the minor subdivision by the filing of deeds. Mr. Simoff noted there is a water line along the eastern side of Chamberlain Lane with hydrants and it is anticipated the property will tie into the Chamberlain Lane line for water service. The applicant is seeking a waiver from any type of tree removal and replacement plan noting that the scope of any such permit and the limits of disturbance will not be known until the applicant seeks an appropriate construction permit. The applicant is willing to grant a right-of-way easement.

No public came forward. The Board voted 9 in favor with none opposed to approving the minor subdivision.

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PB 23-04 MFC Mountain Ridge Estates

Minor Subdivision

14 Chamberlain Lane

Block 4100, Lot 73

Appearing for the application: James L. Lott, Esq., of Riker Danzig; Hal Simoff, P.E., Applicant

Testimony

Mr. Lott provided an overview of the application. Mr. Simoff, P.E. was sworn in and provided testimony that the applicant is seeking a minor subdivision approval. The existing lot is 35,818 square feet in size. The applicant is proposing to create two lots, one lot being 18,634 square feet and the other lot being 17,194 square feet. The minimum lot area within the zone district is 15,000 square feet. The property is located along a right-of-way. The lots to be created have compliant building envelopes. The minor subdivision requires no variance relief, and the applicant will confirm sewer capacity prior to development. The minor subdivision will be perfected by the filing of deeds. There is a water line along the side of Chamberlain Lane with hydrants. The property will tie into the Chamberlain Lane line for water service. A waiver is being sought for any type of tree removal and replacement plan noting that the scope of any permit and the limits of disturbance will not be known until the applicant seeks a construction permit. The applicant is willing to grant a right-of-way easement.

No public came forward. The Board voted 9 in favor with none opposed to approving the minor subdivision.

PB 22-21 AVR Enterprises, LLC

Site plan w/d variance

152-156 Route 46

Block 3207, Lot 7

Appearing for the application: Ronald Heyman, Esq. of Heyman & Fletcher; Frank Matarazzo, P.E. of Matarazzo Engineering; Jessica Caldwell, P.P.

Mr. Heyman noted that the applicant could not attend the meeting that evening. He and the applicant have discussed items in Mr. McGroarty's report and changes have been made to the plans accordingly.

Frank Matarazzo, P.E. presented Exhibit A-23 entitled "Grading Plan", sheet 4 of 7, dated May 3, 2023. Mr. Heyman noted that parking spaces were reduced. The property was staked out as requested by Mr. McGroarty's report. Other changes include removing the proposed fill shown in the wetland area in the left rear corner. The fill that was placed on the township property at the rear is proposed to be removed. Mr. Matarazzo discussed the stormwater report submitted to the Board. Based on the calculations, he suggested the parking lot remains as gravel. There will be a fenced enclosure for equipment. Above ground oil tanks will be relocated to the rear. A masonry shed is also being proposed for the air compressor to buffer the noise.

Creating a paved parking lot versus a gravel parking lot was discussed along with drainage for stormwater runoff. The parking spaces were also discussed. A variance will be needed for the six parking spaces in the front of the site.

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Conditions in Mr. McGroarty's report were reviewed. One of the retaining walls will be removed from the wetlands buffer. The proposed fuel tanks will be omitted from the plans. Shields will be added to the pole mounted light fixtures. The signature block will be corrected. The owner will need to sign the application documents and provide disclosure information as required by law. The proposed masonry shed for the compressor will be eliminated and an addition will be added to the building for the compressor location to buffer the noise. The roll-off container will be removed from the site and details for a dumpster enclosure will be added to the plans. Removal of the fill on the adjacent township property and the wetlands buffer area was discussed. The applicant has applied for an NJDEP General Permit #6 which is pending. No site improvements can be completed or approved in the wetlands buffer until the NJDEP can decide on the wetlands permit application. A temporary fence will be put in place until such time as the NJDEP can make a determination.

Jessica Caldwell, P.P. was sworn in to testify as the planner for the applicant. The applicant is seeking a d1 use variance for a nonconforming use. There is a second building on the site, which is a preexisting nonconforming residence. They are also seeking approval for two bulk variances. There is also a request for a 6-foot-high fence in the front yard setback. There is a substantial landscaping buffer proposed for the site. The fence would also be part of that buffer. The preexisting use on the site was quite impactful. The site will be cleaned up by this proposal. Ms. Caldwell indicated that the site is suited for the use. There is a limited number of surrounding property owners that would be impacted, and it will be a more efficient use of the land. There will be no substantial detriment to the public and the neighborhood.

Mr. Weiss opened the meeting to the public for questions for Ms. Caldwell. Mr. Paul Capone of Elizabeth Lane asked Ms. Caldwell what her purpose was with the application. Ms. Caldwell explained that she was present to provide testimony to discuss and justify the variances that the applicant needs for approval of the application. The meeting was closed to the public.

Mr. Weiss opened the meeting to the public for general questions regarding the application. Mr. Paul Capone was sworn in. Mr. Capone testified that during 2020 the construction on the property, there was a lot of noise and traffic with machines running until 10:00 pm. It was quite a disturbance in his backyard. The lights were shining directly into his home. He asked that the lights being proposed be directed so that they do not affect his home. He also asked for a high solid fence to be installed instead of trees for privacy and noise reduction. He asked about the clay barrier and if it will protect the wells on his and the neighboring properties. He and the neighbors would prefer a gravel parking lot over paved area to avoid flooding their properties when it rains heavily. He was concerned about the noise from the compressor. No one else from the public came forward, the meeting was closed to the public.

Mr. Heyman addressed the Board Members and presented photos of before and after improvements to the site (Exhibits A-7 - A-16). He noted that the applicant will make the site better and more attractive. He asked for the Board's consideration in approving the application so that the applicant can move forward and improve the site.

The Board voted 0 in favor with 7 opposed denying the site plan with d variance.

With no further business the Board adjourned at 9:40 pm.