

**TOWNSHIP OF MOUNT OLIVE  
PLANNING BOARD**

Public Meeting  
Thursday, October 21, 2021 at 7:00 pm  
Remote/Virtual Meeting

In accordance with Township Ordinance # 26-09 the Mount Olive Planning Board is authorized pursuant to N.J.S.A. 40:55D-25(c)(2) to hear all variance applications including the six variance categories set forth in N.J.S.A. 40:55D-70d.

**MINUTES**

**Public Meeting / Remote Virtual Meeting** of the Mount Olive Planning Board of October 21, 2021 commenced at 7 pm.

**The Pledge of Allegiance** was recited.

**Open Public Meetings Act Statement** was read into the record by Ms. Strain, PB Secretary

**Roll Call**

Present: Mr. Schaechter, Ms. Natafalusy, Mr. Mania, Mr. Nelsen, Mr. Ottavinia, Mr. Batsch,  
Mr. Ouimet, Mr. Weiss

Excused: Mr. Scapicchio, Mr. Forlenza, Ms. Mott

**Board Professionals** in attendance were:

Present: Chuck McGroarty, PP/AICP, Board Planner  
Michael Vreeland, PE, Board Engineer  
Edward Buzak, Esq., Board Attorney- arrived at 7:06 pm  
Susan Crawford, Esq. Board Attorney  
Mary Strain, Board Secretary

Audio and video technology and platform.

Mr. Weiss: I want to make a note. John, if you can hear us, let us know or when...because we're not hearing or seeing very much. Looks like you're working on it.

Ms. Crawford: I see John, Mr. Chairman.

Mr. Weiss: I'm sorry?

Ms. Crawford: I see John.

**Meeting Minutes**

September 9, 2021 Public Meeting

Mr. Weiss: I see him, too. But obviously, he's having trouble. So, we're going to move on. We have one set of meeting minutes to approve. That's the meeting minutes of September 9, 2021. We've had a copy of those. Would someone please move these minutes?

Ms. Strain: We need John to vote on this. Otherwise, we won't have enough people.

Mr. Weiss: Okay. So, you know what? And I have a question about that, and that was more of a legal question with the fact that myself and I do believe Brian also watched it. Do we become eligible to approve the minutes? Susan, I think that's directed at you.

Ms. Crawford: I believe so. Yes, if you have watched that...the whole meeting or...

Mr. Weiss: We both certified that, we watched the meeting. That should make us eligible to vote. Correct?

Ms. Crawford: Yes.

Mr. Weiss: So, Mary, that eliminates the quorum issue.

Ms. Strain: Okay. Catherine, did you watch the entire meeting or just the...

Ms. Natafalusy: No, I just did the applicant's portion.

Ms. Strain: Okay. Thank you.

Mr. Schaechter: I watched the whole thing.

Mr. Weiss: As did I. So, I think we have enough, so that being said, we have the September 9th meeting based on what we were just advised. We do have enough of a quorum even without Mr. Mania. So, if someone would please move these minutes?

Mr. Batsch: I'll make a motion to move these minutes.

Mr. Nelsen: Second.

Mr. Weiss: Thank you, John Batsch. And thank you, Dan. Any comments or questions? Mine's been answered. I see none. Mary, roll call, please.

Roll Call:

Brian Schaechter	Yes
Dan Nelsen	Yes
Paul Ottavinia	Yes
John Batsch	Yes
Joseph Ouimet	Yes
Howie Weiss	Yes

## Development Applications

### PB 19-12 Kalashian, Kraig, 15 East Forest Road, Block 4118, Lot 44

Mr. Weiss: As I move to development applications, the first one on our agenda today PB 19-12 for Kraig Kalashian has been carried until November 18th. There'll be no further notice. That

application will be heard on November 18th via the same system we're doing here, will be Zoom meeting a virtual meeting that will be held at 7:00 pm on November 18th. No further notice from the applicant. If anybody is here for that application, it will not be heard tonight.

PB 21-05 Reci, Endri, 41 Smithtown Road, Block 2200, Lot 9

Mr. Weiss: Brings us to our second developmental application, which is PB 21-05 Endri Reci for a variance for their deck at the property located at 41 Smithtown Road, which is Block 2200, Lot 9. I think at this point, let's bring up...Chuck, I see you're doing it now, Mr. Reci, and we'll get this started. Okay. I see...it says Amanda. Can you hear us?

Ms. Reci: Yes.

Mr. Weiss: Okay, and Endri?

Mr. Reci: Yes, right here.

Mr. Weiss: If you're both going to testify, what I'd like to do is swear you both in. Susan, they were sworn in...Endri was sworn in last time. Do we continue because it was renoticed? I think we might want to start fresh.

Ms. Crawford: Yes, let's start fresh. Just in case, and it looks like Amanda, Ms. Reci here for the first time. She may be speaking.

Mr. Weiss: Okay, so if you would, Mr. and Mrs. Reci, follow the directions from the attorney.

Endri Reci was sworn in for the record.

Amanda Reci was sworn in for the record.

Mr. Reci: Endri Reci, 41 Smithtown.

Ms. Reci: Amanda Reci, 41 Smithtown Road.

Ms. Crawford: Can you spell the last name for the record?

Mr. Reci: R E C I

Mr. Weiss: Thank you, Susan. And for the record, Mr. Buzak is on looks like he's getting ready to unmute himself and we'll continue. John Mania is still struggling to get on, so we have enough. Let's continue. So, Mr. and Mrs. Reci, we were aware of...our meeting on September 9th and there was a bit of confusion. I know that you were you went back, you renoticed, and now you're coming in with a different variance perse. Here's what I'd like to do, let's start the meeting by having you explain to the Board why you're here, what's happening, and what is it that you're specifically asking from the Planning Board?

Ms. Reci: So actually, after speaking with Chuck, we are sticking with the type of variance that we had originally started with rather than changing it, as we discussed last time.

Mr. Weiss: And just be clear, because we're trying to create a record, the variance that you're requesting is the side yard setback variance?

Ms. Reci: Correct.

Mr. Weiss: Okay. So, you're here for the side yard setback variance. We'll get into it in more detail. The one you explained to the Planning Board and to the public that might be listening exactly the situation at hand, what has happened, what's gone on that brought us to this point?

Mr. Reci: So, yes, we built the deck that goes up a little bit over the allowed limit of the property line. It was like a 12 feet, I believe...

Ms. Reci: 12 feet required.

Mr. Reci: 12 feet required.

Ms. Reci: And we provided 7.

Mr. Reci: We're at 7 feet. Also, I originally had requested for a permit for this that time was during when the pandemic started. I had a little bit of free time. So, I kind of just rushed to put this thing together while I could. And...you know...I went a little bit over the limit.

Mr. Weiss: Okay. Well, there's not much we can do about the fact that it's been built already. We're here to kind of try to correct the situation and maybe see what we can make of this. I have...I just have a general question. I'm looking at the items that were submitted and you have a survey. I'm looking at the survey that you've submitted here. And then it looks like your hand drew in the deck where it's going to sit.

Mr. Reci: Okay, inaudible.

Mr. Weiss: All right. So, it's kind of short. There's this is the only document that I see submitted besides Chuck's report. And so as I look at what was penciled in red, which I'll go on the assumption is going to be or is where this deck sits now based on the survey, what is the distance between the...I guess it's the northeastern most portion of the deck to the hedgerow...the property line to the northwest side? How much distance? I think you just said 7.

Mr. Reci: Yes, I believe you're asking about the next property which would be 7 from the line.

Mr. Weiss: Okay. So, my question is, and it's not really to scale. I can't tell the scale. Chuck, I don't know if you can confirm the numbers. I'm going to need a little assistance on the technical end of this because I'm just looking at a picture. And the picture based on the testimony is telling me that that space between the hedgerow, which is the property line...I got to imagine...and the new deck, Mr. Reci said is 7 feet. My concern is that then I look at the picture that's in the Planner's Report, and it looks like the deck is almost on the hedgerow, hardly 7 feet. I'll give it maybe 3 feet,

but that's about...now I'm not going to rely just on the photograph I was...I was at your property to do a visual inspection today, and I noticed the proximity of the deck to the hedgerow.

Mr. Reci: Yes.

Mr. Weiss: So, I just have some general questions about how did you determine exactly the distance that you are on this product versus what you're displaying on the survey?

Mr. Reci: I think I forget where exactly I saw it, maybe on the survey you're looking at. So, the house was 11 feet...do I have it there...the edge of the house...I'm pretty sure...I wrote it down here. I'm sorry. The house was 18 foot 3 inches away from the property line.

Mr. McGroarty: Feet, 18 feet.

Mr. Reci: Okay. I have 18 3 here. I'm not sure...

Mr. McGroarty: No, 18 3. I'm sorry. I thought you said inches.

Mr. Reci: Yes, 18 feet 3 inches. I'm sorry. So, from just from that measurement that I have, the deck is 11 feet away from the house. So that would give us the remainder, which would have been 7 foot 3 inches.

Mr. Weiss: So, you also have Mr. McGroarty's report and if you happen to look at the picture on the top of Page 2, is it your testimony that the edge of the deck is 7 feet from that hedgerow?

Ms. Reci: Not from the hedgerow. The property goes though that entire hedgerow is on our property, so the property line is on the other side of the of those hedges. So, from the property line to the start of the deck is 7 feet.

Mr. Weiss: Do you have your property staked? I'm just trying to find out how you determine your property line.

Ms. Reci: From the survey, and we also spoke to our neighbor about it.

Mr. Reci: Yes, so whole thing was from that 18 3 again, I think I got it from that paper that you have there where it's drawn out in red, I believe. I don't have it in front of me. I have a bunch of paperwork. I probably do have it here, but I think it was on that paper somewhere because it was very specific with the 3 inches as well.

Mr. Weiss: Let me ask you different. I'm going to ask the question a different way. One of the things that we can certify, I suppose, based on the survey, is that the house is 18 feet 3 inches from the property line. Correct?

Mr. Reci: The farthest part of the house towards the property line is 18 feet. So that's the smallest gap we have between the house...

Mr. Weiss: So, now that the deck is built, what is the distance from the edge of the house to the edge of the deck?

Mr. Reci: That was 11 feet.

Mr. Weiss: Okay. And that's a physical measurement that you took after the deck was built.

Mr. Reci: I took that measurement. Yes, I could be off by maybe...

Mr. Weiss: An inch or two...

Mr. Reci: ...fraction of an inch or so.

Mr. Weiss: Okay. I suppose we have no...with Mrs. Reci telling me that the property line goes on the other side of the hedgerow. The only the only information I can go by is just the width of the deck versus the line of the house.

Mr. Reci: Also on that note, the hedgerow...actually the homeowner that owned this house...the one that planted them was like three houses down. So, he said he planted that whole hedgerow, so that would have been on his property, I'm assuming at the time as well.

Mr. Weiss: Okay. I was just trying to determine accuracy of your testimony. Not that I doubt it, but the picture showed me one thing. Your testimony showed me another thing. The survey confused me. So, if we're going to use some real solid numbers, namely the house is kind of been there. It's 18 feet 3. Your deck is 11 feet and say 11 3 off of the house that leaves a distance of 7 to the property line. I have no choice but to accept that based on the numbers. And again, it's 7 feet where a 12 foot...12 foot setback was required. So correct, we're on the same page.

Mr. Reci: Yes.

Mr. Weiss: Okay, and that's the basis for the variance. Chuck, can you confirm everything that I've just said sounds reasonable to you? The numbers are accurate.

Mr. McGroarty: Yes.

Mr. Weiss: Okay. I'll accept that that it's...you know...the picture shows me something different. You've explained why and it's acceptable. I don't want to monopolize the questions. If anybody else has any questions for the Reci's, please feel free to chime in and ask questions. I'm just trying to raise some questions. So, earlier in your testimony, Mr. Reci, you had mentioned that you built the deck yourself.

Mr. Reci: Yes.

Mr. Weiss: Okay. So, you did not have a contractor? It was done by yourself. Okay. Next question. When you built...when you built it, did you have...did you secure a building permit to do so?

Mr. Reci: I originally had applied for one originally, and I think it was to where I have it now that was denied. But like I said earlier, I kind of rushed it...you know...just seeing the time opportunity that I had.

Mr. Weiss: Okay, so I just want to make sure everything is clear. What you...I think what you might have applied for was a zoning permit.

Mr. Reci: I wasn't too familiar honestly with the application process. I knew I had to apply to get approval, but I wasn't sure what I was applying for exactly.

Mr. Weiss: I will allow myself to stand corrected, but the process is normally you apply for a zoning permit when that's granted, then you go get a building permit. And so we know that the zoning permit was never issued. As a matter of fact, the deck was denied. That was what we talked about last month.

Mr. Reci: I don't believe I ever got...I went to get a zoning permit. That's the part I was confused about. I didn't even realize I needed that.

Mr. Weiss: No, no. I think what you did is...go ahead, Chuck.

Mr. McGroarty: Let me clarify, you applied for a zoning permit. I denied it in the letter.

Mr. Reci: I thought it was...okay...so I didn't...I didn't know what the official term. I just remember speaking to you about a deck permit.

Mr. McGroarty: Well, I denied it...and that means...I denied it.

Mr. Reci: Yes, yes...

Mr. McGroarty: So that means it was denied, okay.

Inaudible

Mr. Weiss: Go ahead, Brian.

Mr. Schaechter: So, Chuck, when you denied it, did you deny and say you need to come in front of the Planning Board for a variance or did you say you can't build a deck back here at all?

Mr. McGroarty: I don't know if I have the letter with me, Brian, but generally what I do when I deny a zoning permit as a rule, I explain why. And then I say, if you have any questions, feel free to call me. And if you have any questions about the variance process to call me, they generally say that I don't have that letter in front of me, but I generally leave that open.

Mr. Schaechter: So, Chuck, that's your standard letter of...if it doesn't comply, then there's ways... to ways to go around it and there's a process to that.

Mr. McGroarty: Yes.

Mr. Reci: I do remember that you did say there was there's something else we have to do for that...for the setback. I don't know if it's a setback, exactly, but I do remember you telling me you have to apply for something else.

Mr. Weiss: That would have been the building permit. So, I don't want to assume, but you didn't get a zoning permit and therefore...am I correct to say that you did not ever have a building permit or apply for one?

Ms. Reci: Correct.

Mr. Reci: Correct.

Mr. Weiss: Okay. So, that's fine. And got to remember, the goal of the Planning Board is to create a record and ultimately try to correct the wrong. You're certainly not the first person, Mr. and Mrs. Ricci that has built without approval. Unfortunately, you won't be the last, and I don't think the Planning Board is going to look at that with any kind of malice or negative intent. Our goal is to try to fix the situation. So, you're here asking for relief from the variance for the 12 foot setback when you have 7. I don't mind moving this along as quickly as I can because I think we all understand where we are, how we got there. And so now if we address this as any other variance request, you have an obligation, Mr. Reci, to make some proof, some...some proofs to the variance. And it's noted very clearly on Mr. McGroarty report Page 2 under Section 5. And I don't know if you had an opportunity to review that. And if you're prepared to answer those questions, certainly under Section 5.1. So, I'm going to ask you that question because ultimately this is a process very well and very, very clearly spelled out of what has to happen in order for this Planning Board to consider a variance. And basically, it's listed under 5.1.

Mr. Reci: So, the three questions or the three questions that are there?

Mr. Weiss: It's essentially a little more than that. But yes, for the positive criteria, those are the three criteria and you're going to need to testify to make your proof. As to...you know...why you're requesting a variance and because I want one is not obviously one of the options, so if you're prepared to testify, you're under obligation to make the proof for the positive criteria first and those standards are listed in 5.1. So, I need you to go record and testify. Talk about the property, talk about what was going on. That brings you to the point where you need a variance.

Mr. Reci: Right. Yes, we wrote all this...inaudible.

Ms. Reci: Okay. So, we didn't...

Inaudible

Mr. Reci: The first one was a property exceptionally narrow, shallow, or such of shaped as to make the compliance with the required 12 feet side yard setback...

Ms. Reci: Exceptionally difficult.

Mr. Reci: Exceptionally difficult.



Ms. Reci: So, we feel that it is. Our house, as you can see on the survey is set very far back on the property. So, there's a narrow walkway between those hedges and the house. And then how it was before there was like a concrete walkway throughout the backyard that was damaged. And not even. So, we felt it was dangerous. We had at the time I was pregnant with this little guy, and we wanted to make sure that it was safe to have space for him to play. And we also have those stairs by the retaining walls that lead down to the driveway, and we had no way to really gate that off safely. So, we wanted obviously to have some sort of protection so that when our...you know...our family was out there, there was no risk of falling off the retaining walls or down stairs. And then we didn't...we extended it those extra 5 feet to meet the hedges because we felt that if we put the proper 12 foot required space, it would have left like a very narrow area that would have been hard to maintain and it would have left a space underneath it that we felt that our child or animals or whatever could get stuck underneath. So, we figured it was best to put them...put the edge of the deck as far up to the hedge line as we could just to eliminate having an maintainable and dangerous area. If that makes sense.

Mr. Weiss: No, of course, I asked the question, you've answered the question.

Ms. Reci: Okay.

Mr. Weiss: Again, if anybody from the Planning Board has any questions based on Mrs. Reci's testimony to the positive criteria now would be a good time to ask. If I don't see any questions from the Planning Board, I'm going to then turn it over to 5.2. Mr. and Mrs. Ricci about you now need to prove the negative criteria. It was explained exactly what that means in 5.2 and Mr. McGroarty's report. And so that I'll turn that over to you again to tell us a little bit how your application that will fill the negative criteria.

Ms. Reci: So basically, we felt that it made the property, if anything, looked nicer and more maintained because as I said the walkway that was previously there was damaged. The steps were not in great shape, either. There was kind of like a lot going on back there and we wanted to kind of make it a more seamless transition from to get out of the house and then down to the stairs without having to go up and down and up and down. So, the two neighbors that we have that would be able to see it don't seem to have any problems with it. We've spoken with the neighbor that's adjacent to the hedge head wall, and he said actually that it looks great. And he was he didn't have any problem with it at all. Is that it?

Mr. Weiss: Well...you know...and again, just for the record, what your neighbor said doesn't really have any...we can't really accept hearsay testimony, but that's okay. It doesn't deter from what you've told us.

Ms. Reci: Okay.

Mr. Weiss: Your testimony of the seamless transition making it look nicer. General question. I know the answer, but adding a deck to a residential home is that something we can normally expect in a residential zone? And then my question was so obvious, I'll ask it again. Is a deck something that you would normally see in this zone being a R-4 Zone?

Ms. Reci: Yes.

Mr. Weiss: And the building of such a deck doesn't have any kind of negative impact on the zone or the neighborhood?

Ms. Reci: Not that we would be aware of.

Mr. Weiss: Okay. That's kind of the easy one. Mr. Buzak, would you say that the negative criteria certainly has been testified to properly?

Mr. Buzak: I think it's been testified till I get...inaudible...but that's not my call.

Mr. Weiss: Okay. Thank you then. I figured I usually always ask, but you're right, it's really up to the Planning Board to determine if the testimony fulfilled the criteria. Chuck, did you have anything you wanted to add to this application and any comments?

Mr. McGroarty: No, thank you.

Mr. Weiss: Okay. Anybody from the Planning Board?

Mr. Schaechter: Yes. Mr. Chairman, as I also did a site visit today, as you know, we typically go around in pairs. Is there a cease and desist on this property right now? From keeping it from being finished.

Ms. Reci: Yes.

Mr. Schaechter: All right. I mean, it's...it's...was there a reason why you didn't connect it to the house? Was that to...inaudible...a variance?

Ms. Reci: No, he...my husband is an electrician, and he works with contractors, and I believe you had...inaudible...a few of them, and they said that attaching to concrete would decrease the integrity of the...

Mr. Reci: And he said they won't really help because where the deck lines up to the house it's all concrete area. So, it doesn't yet...he said it's not a really strong point, especially for the deck being that low off the ground.

Mr. Schaechter: I mean, I'm...I know we should probably wait for opinions, but you know, I'd be willing to grant a variance or vote for a variance on this as long as there was proper building permits, proper inspections on that on that deck, as well as any remedy that the building inspector would come up with. And everything gets tied up within a 30 to 45 day period of this meeting. I mean, I'm just one vote. I mean...you know...Mr. Buzak, can you make that a condition that a building permit gets drawn, that any remedies get looked at?

Mr. Buzak: In light of the fact that this deck is done, I think that would be an appropriate condition that the Board would impose because if you don't...inaudible...then the next steps, are not clear to the applicant. I think that this Board has an obligation because the deck is already constructed without permits to ensure that it gets properly permitted, properly inspected, and properly approved.

Mr. Weiss: That's good, a good suggestion, Brian. I'm just going to go back to the positive and negative and just share an opinion, and I think that Mrs. Reci makes some excellent points and I'm satisfied that they've proven the positive criteria, certainly that the existing condition was dangerous and this is only going to make it better. I don't doubt it. Like I said, I was there today and it's certainly not an eyesore. It's a very nice look and I think the proofs have been made, but we'll leave that up to each of the individual members. I think what I'll do is I'll see if anybody from the Planning Board has any questions and if not, I'll open it to the public to see if anybody from the public has any questions for the Reci's. If you do simply just hit the raise your hand button and I don't see anybody on here that's from the public. Dan Nelsen, go ahead.

Mr. Nelsen: I just wanted to check this has been noticed properly.

Mr. McGroarty: Yes, Dan. They did notice.

Mr. Nelsen: Thank you.

Mr. Weiss: Okay. Mr. and Mrs. Reci, did you have anything else you wanted to add or mention to the Planning Board?

Ms. Reci: Just that we're happy to fill out whatever...whatever other documentation we need, and I know that with the foot holes and things like that, obviously they're not accessible now, but we did take photos of all of them to make sure that they're deep...

Mr. Reci: That they are deep enough.

Ms. Reci: And how they were filled and everything.

Mr. Weiss: That's not the responsibility or the concern of the Planning Board. I don't want to make like we're not concerned, but there's different officials that would tell you exactly what they need. So, Mr. Schachter made a very nice suggestion, and maybe the Planning Board needs to talk about it a little further. Brian mentioned that with the condition of the approval of the variance, we come up with a time frame to get this deck inspected...well actually to open up a building permit, get it inspected, and get it satisfied. There's no CO. I'm not sure what the exact term is, but make sure that we get the building permit closed appropriately. Chuck, is there a better word that we might want to use?

Mr. McGroarty: Yes, what you're looking for, Mr. Chairman, is certificate of approval.

Mr. Weiss: Okay, thank you. I know it's not a certificate of occupancy, but it will be your obligation to provide a certificate of approval. The question is Planning Board what kind of timeframe? The deck is already built. I think the township, if they jumped on this early, I think 30 days would be plenty of time to get it, to get an inspection and an approval and the certificate.

Mr. McGroarty: Well, let me. May I...may I add to this?

Mr. Weiss: Chuck, go ahead.

Mr. McGroarty: I would suggest to that condition, which I think is a very good idea, that you require the applicant to at least get the paperwork and the plans submitted within a certain period of time. As to review and inspection that will be out of their control. And it depends on the workload. And frankly, I'm not sure that the building inspector is going to give this one a priority given the history, but he may and I'll ask him about it. But if the Board imposes the conditions that they at least get the process started, I think. So that can be done, and I know the town will take whatever steps are necessary to get it done as quickly as possible so it's safe because railings have to be put up and other things.

Mr. Weiss: So from a legal perspective, do the Reci's have to wait for the Resolution to go get...go request a building permit? Because they don't have the zoning permit, the zoning permit would come in the form of the Resolution. So how could we expedite this? I don't want to put a demand on the Reci's that the...inaudible...because it's going to be a month before we get the Resolution. So, it would be irresponsible from the Planning Board to put a month timeframe on them if their hands are tied. And I don't know how we can best address that. Chuck, do you...can they go forward and apply for a building permit?

Mr. McGroarty: Well, you phrased that...you prefaced that as a legal question, so I'm going to let our attorneys address that.

Mr. Weiss: Thank you. All right.

Mr. Buzak: If the Board grants the variance that I would with, let's leave the terms of the condition up in the air for a minute. We would typically do that. Take that action tonight, the memorializing Resolution. Only those members who are who have voted in favor of the Resolution would be able to vote and the action is actually taken tonight, a month from now. We're just memorializing it and putting it in written form. Now, given that, I don't know how in the past the township has looked or construction official looked at applications for building permits before the actual written Resolution is done. Even though we've adopted it, we've taken the action that has to be taken. So I think the best we can do because I don't think we can interfere with or dictate to the construction official is to when the motion is made, assuming it's a favorable motion with this condition that we also include a provision that the Planning Board has no objection assuming a positive vote on this to the construction proceeding based upon the action taken tonight because we are taking the action tonight and then it's up to the construction official as to how he handles it. I think we've done that before in certain situations.

Mr. Weiss: So how is that message given to the Construction Department?

Mr. McGroarty: I'll take care of that, and I don't think there'll be any problem. By the way it, Mr. Buzak just described it. I'll convey that to the Construction Office and I don't anticipate there being any problem.

Mr. Weiss: Okay, perfect. So then therefore, I don't know 30 days might be a very realistic amount of time for you, Mr. and Mrs. Ricci, to get the building permit and get it into the township. And we will understand that at that point, you don't have control as to when the inspections will happen, but your paperwork certainly needs to get in. Does the Planning Board think 30 days is sufficient? Is it too much time? Where do we want to go with this?

Mr. Batsch: I think 30 days is applicable.

Mr. Nelsen: I think it's reasonable.

Mr. Weiss: Yes, and I just don't think that...you know...the sooner we get this completed and make it safer because I did notice, as Mr. Schaechter said, there is no rails. And it's kind of an unsafe thing and no, no commentary on you. We know that you've had a stop work order. So, I'd like to get it done. Get it right, get it fixed and move this on so you can perhaps start the process. Catherine, go ahead.

Ms. Natafalusy: I just...I just wanted to ask one question. You mentioned that you took photographs of the footings. What made you do that? Did you know that you would have to go through this process?

Mr. Reci: No, the footings I was told they have to be certain depth so...

Ms. Natafalusy: Right.

Mr. Reci: Since we did, I did take the...you know...the time opportunity to build it. Just figured that I'll take pictures in case I would need them later.

Ms. Natafalusy: If you're an electrical contractor and you work with other contractors, you would have to know that you'd get a building permits for those footings, right?

Mr. Reci: I...I didn't know about the footings. I don't know the construction aspect of it. I'm not sure. I just feel like...

Mr. Weiss: All right, anybody else from the Planning Board? So that being said, I'd like someone to make a motion to include the condition, as Brian mentioned with a 30 day time limit that the Reci's must have a building permit applied for. And at that point, we'll leave it up to the township to set the pace and when the inspections and ultimate approval. I would say that if this does not happen, the second half of the condition is that if we grant such a variance, that variance would become null and void if the Reci's do not have a building permit applied for within 30 days.

Mr. Schaechter: So it's not applied for in 30 days. It's applied and closed out in 30 days.

Mr. Weiss: Yes, but I don't think that...that's not fair. I would agree with you, Brian, but it's the time frame that they can't control.

Mr. Schaechter: So let's bring it to 45 days to close it, and that gives plenty of time for even the town officials to go down and inspect the work to be completed. You know, there's going to have to be some pain on the Reci's side. They created this issue, so the priority is going to be getting rails up, getting this thing finished and getting it inspected and dealing with the building inspectors as they come. That's not our realm, but...you know...we can't have the hanging chad out there forever and go, well, I had a building permit. It stays open for two years.

Mr. Weiss: Brian, I don't disagree with you one bit, and that's the case, I would say three weeks. The problem is, as Chuck mentioned. Are we going to put them in a position where they can't possibly succeed? And Chuck, I think you made it very clear that you don't know their schedule.

Mr. McGroarty: Let me say this. Let me say this. I know for a fact we're very busy in the town... building inspector is very busy and we've got everything from 700 International being built right now to you name it, and I don't know. I'm sure they'll get out there as quickly as they can, but I don't know if... I'm not even... let me phrase it in a way without being offensive. I'm not concerned at the moment about the applicant. I'm not sure the Board can put a timetable like that, and then it puts pressure on the building inspector to comply. And I'm sure he'll do his very best to get out there. He's already been out there. He and I went out there together, so I'm sure he'll make time in his schedule to get out there as quickly as possible. So, I just think I think that the...

Mr. Schaechter: You know what, Chuck. Sorry Chuck, I'm not buying that. This thing is 4 blocks from Town Hall. The building inspector passes by there probably 10 times a day. He's going to have to make some time to get there and inspect within 45 days.

Mr. McGroarty: The Planning Board is not in a position to impose on the building inspector what his inspection scheduled to be.

Mr. Schaechter: You're 100 percent right. However, Chuck, as our as our lead engineer, our planner. You can walk down to the next office over to you and say, listen, this has to... we need this. You've got to do us a favor on this.

Ms. Natafalusy: Brian, the building inspector has 20 days to issue the permit. And that's what they go by. They have 20 days, so even if the Reci's go in, so they still got 20 days to review that and then they go for inspections.

Mr. Schaechter: Okay, so let's give it... let's figure the 20 days in there and put a cap on this. I just don't want this to be a hanging chad. Two years later, the building permit was applied for, the work is not done.

Mr. McGroarty: I think... I think I know what will happen. I think we can. I think this can get worked out. The construction officials already put a stop work order on it, and there's already a fine imposed. I think it's being held in abeyance at the time, so I'm sure... I will take Brian's... I will take Brian's suggestion. I will... and I will talk with them tomorrow. I'm sure they will schedule it promptly. So, I think there's... echoes here. I think that the applicants should get the, I would say, rather than 30 days, make it two weeks, get the application in and then the building inspector, I'm sure the construction official will get out there in a... as quickly as possible thereafter. And I will... I will try and I don't even think I'm going to have to persuade the building inspector that it's important he'll get out there.

Mr. Weiss: I was going to actually follow up and say, if that's the case, we'll put the pressure on the Reci's. Give them two weeks to get that application in. The deck is already built. This is not a surprise where this was going to go. I would say that the Planning Board should offer two weeks to have your building permit application in, and we'll leave it up to the schedule of the Building Department based on Chuck's comments. That will be the motion. Actually, no, we need a motion to be made. If someone would please do so.

Mr. Schaechter: Fair enough, Mr. Chairman, I'll make that motion,

Mr. Weiss: Okay, motion to approve with the conditions as we spoke about.

Mr. Nelsen: Second.

Mr. Weiss: Okay, Dan, thank you very much. Made by Brian, seconded by Dan. And just to keep in mind, if in two week time this application is not submitted, the variance...if approved tonight will become null and void.

Mr. Reci: Understood.

Mr. Weiss: Okay. Any other comments from the Planning Board? Seeing none, Mary, roll call, please.

Roll Call:	Brian Schaechter	Yes
	Catherine Natafalusy	Yes
	John Mania	Yes
	Dan Nelsen	Yes
	Paul Ottavinia	Yes
	John Batsch	Yes
	Joseph Ouimet	Yes
	Howie Weiss	Yes

Mr. Weiss: So, we'd like to make this thing go away, Mr. and Mrs. Reci. You've heard us loud and clear. You have two weeks to file such a permit and then the township will take it from there. Good luck with it, and we hope it's resolved.

Mr. & Mrs. Reci: Thank you.

PB 21-16 Hunkele Equities, LLC, 160 Gold Mine Road, Block 4400, Lots 85, 85.01 & 85.02

Mr. Weiss: All right. So, let's do this. Let's bring up...Let me introduce. Let's introduce the next...hold on one second...just lost my page. The next application...there we go. Sorry about that PB 21-16 Hunkele Equities LLC, here for a minor subdivision, amended preliminary and final site plan with the variance for the property located at 160 Gold Mine Road, Block 4400, Lots 85, 85.01, and 85.02. Looks like Mr. Dwyer is here to represent the applicant, and so we bring up all those involved.

Mr. McGroarty: Michael Pucci, I'll get him. I missed Mr. Pucci. Mr. Chairman, just let me ask Pat, is Charles Schaffer with you?

Mr. Dwyer: Yes, I believe he is, Chuck.

Mr. McGroarty: All right. And there's a Maloney...K. Maloney?

Inaudible

Mr. Dwyer: That's not for us.

Mr. Weiss: Okay, so if everyone's here, Mr. Dwyer, let me. I've introduced the application. Welcome back to the Mount Olive Planning Board, and I'll turn it over to you.

Mr. Dwyer: Thank you, Mr. Chairman.

Mr. Weiss: And let us know what's happening.

Mr. Dwyer: Thank you, Mr. Chairman. Patrick Dwyer from the law firm Nussbaum Stein on behalf of the applicant, Hunkele Equities. We're back again before the Board. It's good to see everyone. As the chairman mentioned, we're here seeking two types of relief. The first is a minor subdivision of Lot 85 to divide it into two lots. A new lot, which will be designated 85.02 and the remainder lot which is 85. The second part of our application is to amend the site plan to allow an addition to the existing 30,000 square foot building on Lot 85 and add 9,000 additional square feet. So, we have these two applications at once. There is no application right now to improve proposed Lot 85.02. If the subdivision is granted, we intend to be back before the Board with different application on that. We're looking to have...we've identified to be one variance for lot of coverage on Lot 85 because a lot is now smaller, it now exceeds the lot coverage. Although it's going to be, I hope, something that the Board consider favorable. Joining me here tonight is Jeff Careaga, who is the subdivision engineer. Michael Pucci is our site plan engineer, and Charles Schaffer was our architect. And of course, Steven Huntley, who is the owner operator of Hunkele Equities, is with us as well. With that, I would like to call Jeff Careaga as our first witness.

Mr. Weiss: Before we do that, Mr. Dwyer. I just I want to just review my notes. You were going pretty quickly. We have two engineers, you said.

Mr. Dwyer: Yes.

Mr. Weiss: Tell me the difference between Jeff and Michael, they're testifying to two different...

Mr. Dwyer: Jeff had...Jeff had been the original engineer for the subdivision. So, when we came back on this issue, we decided to use him since he basically had the most knowledge of it. The engineers for the site plan had been...Mike Pucci's firm...gosh...Mike what's your partner's name? Anyway...

Mr. McGroarty: Greg Ploussas.

Mr. Dwyer: Greg Ploussas. Greg is retired, and so Mike is now handling that aspect.

Mr. Weiss: Okay, perfect. I just want to mention...it sounded like you repeated the engineer twice.

Mr. Dwyer: I did.



Mr. Weiss: Okay, fine.

Mr. Dwyer: Okay, does the Board recognize Mr. Careaga? I know he's been before you on several occasions.

Mr. Weiss: We could swear him in first, I think. Mr. Buzak, you're muted.

Jeff Careaga was sworn in for the record.

Mr. Careaga: My name is Jeff Careaga from Careaga Engineering, 382 Route 46 in Budd Lake.

Mr. Buzak: Thank you, sir.

Mr. Dwyer: So, Mr. Chairman, do you want me to qualify him or do you...

Mr. Weiss: No, I think...I think we can just confirm that Mr. Careaga's licenses are still intact. He's certified and no lapse in his certification as an engineer.

Mr. Careaga: That's correct. There's no lapse.

Mr. Weiss: Yes, we've seen we've seen Jeff before. Welcome back, Jeff. I don't think unless anybody from the Planning Board has any questions, I think we can go forward.

Mr. Careaga: Thank you.

Mr. Weiss: Welcome back, Jeff.

Mr. Dwyer: All right, Jeff. Are you familiar with the site?

Mr. Careaga: Yes. We had previously done site planning approval for the prior approvals on the project, along with the subdivision survey work. So, in this case, we just revised...or did the new subdivision work, and we also had done the previous septic design for the property. And that septic will have to be modified for the new proposal here, too. But I don't see a problem doing that.

Mr. Dwyer: Okay. Could you please tell the Board about the existing and proposed as far as the subdivision goes.

Mr. Careaga: Well, originally in this...this section of the property there was...there was going to be a Phase 3 building proposed and now the site is going to be pretty much just used as a parking lot. We went through a couple of different renditions with the subdivision lines based on the review comments from the town. And at this point, I think we really addressed pretty much all the comments. There's couple of discrepancies between the dimensions between ours and the site plan drawings. But we can...we can certainly clean that up there. Inaudible

Mr. Dwyer: Okay, and the lot...the proposed Lot 85.02 is a confirming lot?

Mr. Careaga: Yes, it's conforming with the bulk requirements. The only variance is just the coverage that you had mentioned earlier.

Mr. Dwyer: Okay. And I mentioned also that for now, there's no application for any improvements on proposed Lot 85.02. Right?

Mr. Careaga: 85.01, yes.

Mr. Dwyer: 85.02.

Mr. Careaga: Lot 85.02 is where we are proposing the parking lot, 85.01 is...

Mr. Dwyer: Right.

Mr. McGroarty: No parking lot at this time.

Mr. Dwyer: Not at this time. The parking lot is going to come later, Jeff.

Mr. Careaga: Right.

Mr. Dwyer: We're just doing the subdivision and the...and the addition.

Mr. Careaga: Right.

Mr. Dwyer: Are there any other details we need to provide the Board regarding the subdivision?

Mr. Careaga: I don't think so unless there's any other questions from the Board.

Mr. Weiss: Well...you know...thanks for that, Jeff. Mike, maybe I should turn it over to you if you had any engineering questions. Any other item that might be open?

Mr. Vreeland: No, I mean, we had a couple of comments. I think, as Mr. Careaga noted, there's a couple of discrepancies between the site plan and...inaudible...that should be resolved and the revised set of plans with regard to the subdivision, we asked at the point of beginning be labeled and the closure calculations for each of the logs be provided for review along with the deeds.

Mr. Careaga: And we have no problem providing that.

Inaudible

Mr. Dwyer: I was just saying to Jeff, you mentioned that the septic will be modified slightly.

Mr. Careaga: Yes. One of the comments in the Van Cleef review letter or Chuck's letter was with regard to the septic design the Health Department. Susan had indicated that revisions to the plans had to be made. And that's true. There's new septic tank and pump tank location, so it does have to...it does have to be revised, but we don't see a problem with doing that.

Mr. McGroarty: Mr. Chairman, let me ask this.

Mr. Weiss: Go ahead, Chuck, please.

Mr. McGroarty: I don't know if I'm having trouble with my speakers or not. But let me know if I'm coming through. I had a couple of questions, but just on that one to Mr. Careaga, I'm not sure because I was back and forth with the Health Department. There may have been some confusion because we actually...we got a plan...a septic plan that showed a building on proposed Lot 85.02. But the septic that you're describing tonight is not going to be on Lot 85.02. Is that correct?

Mr. Careaga: Well, there is a septic shown on 85.02 on the site plan drawings and that septic could be used in that location.

Mr. McGroarty: But my position would be there's no improvements on Lot 85.02. There ought not to be a septic system on Lot 85.02.

Mr. Dwyer: That's right, Mr. McGroarty right now. Any septic for 85.02 would be part of the future application for site plan approval for 85?

Mr. McGroarty: Right. And I realize you had different options going on. And I think perhaps the Health Department...well, I know for a fact because I talked with them, but it may have thought that they were reviewing the application that we'll be seeing in a couple of weeks, months, whatever. So, for tonight, then there is just for the record, make sure I'm clear on this. There will be no septic system shown on Lot 85.02 at this time.

Mr. Dwyer: That's correct.

Mr. Buzak: May I follow up on that for a minute. So, Mr. Careaga, is it therefore true that there is going to be no modification of the septic system on the new Lot 85...the remaining lot that is before the Board tonight?

Mr. Careaga: There may be revisions to that. I have not gone over the details of what the occupancy is going to be in that building compared to what we originally designed for but if there is any changes, there's plenty of room to expand that septic if necessary.

Mr. McGroarty: And if I may, Mr. Chairman, on that point, the Health Department did have some comments, but we can get to that when we get to the site. Along the lines of what Mr. Careaga was just saying, they want a little bit more clarification on the...on the occupants. I just had one or two other things.

Mr. Weiss: Go ahead, go ahead, Chuck.

Mr. McGroarty: It's a procedural thing, but I think it still needs to be addressed. In my report under 5.1 Exceptions, the ordinance does talk about having insofar as practical sidelines...side lot lines at right angles or radial to street lines. The configuration of these two new lots is a little bit different than that. And I think it maybe that should be addressed for the record as to why.

Mr. Careaga: The intent of the layout was really to follow along the existing gravel area to access the building...buildings on Lot 85. So that was that was the intent to not have to essentially change the site layout for Lot 85 from that area...inaudible...of the proposed property line where it were jogs around and follows the actual gravel.

Ms. Natafalusy: Mr. Chairman? Can somebody put up the subdivision plan?

Mr. McGroarty: Yes, and I did have another question, actually, and I think having the plan up is a good idea.

Ms. Natafalusy: Jeff, do you have the plans to put up?

Mr. Careaga: I can't put the plans up myself here. I'm sorry.

Mr. McGroarty: Well, if I may, Mr. Chairman.

Mr. Weiss: Go ahead, Chuck.

Mr. McGroarty: I don't know if the Board has my report, but I reproduced a copy of Jeff's minor subdivision plan. We did get a revised plan, but if I believe that the issue that I had...I don't have an issue with Mr. Careaga's plan, but I just had a question as I asked in the comments. The proposed outdoor storage area which is to the left of the building that the proposed expansion is going to be on, which I believe will be to the west of the end of that building. That edge of gravel is different than what is shown on the site plan. It's not, and now we're looking I think this is Careaga's plan.

Mr. Weiss: Well, Michael, thanks for putting that up.

Mr. McGroarty: I think...Jeff, is this your plan?

Mr. Careaga: Yes.

Mr. McGroarty: Right. So obviously...

Mr. Pucci: I've put up the subdivision. I grabbed it off your website.

Mr. Careaga: Thank you.

Mr. McGroarty: Okay. So yes, I see Jeff...I see Careaga. So, the to the left of the building, which you see at the bottom there, where it says remainder of Lot 85, that building, that's the building...we'll hear about that in a few moments. That's the building with a proposed 9,000 square foot addition is going. But what...what I was concerned about is the difference between the edge of gravel that's on this plan done by Jeff, which does not encroach into the 50 foot wetland buffer area versus what appears to be an encroachment on the site plan. And when I say encroachment, I'm not saying they're doing it today. It may have happened many years ago, but I'm asking why the boundaries are different?

Mr. Dwyer: I think I can speak to that, Chuck. As you may recall, it was mentioned in the prior Resolution for the site that there was a LOI granted to the applicant in August of 2016. That

LOI, as you know, has a lifespan of five years and expired in August 21. The applicant engaged in a larger environmental again to renew the application, which they did, and it was renewed. There was a new LOI that's been issued. As part of that review process, it became clear that you're correct there was an encroachment into the buffer and it was agreed between the DEP and the applicant that that encroachment would have to be remediated, which Mr. Hunkele has agreed to do. But there are two steps to it. One is to remove the gravel encroachment, which can be done. But the revegetation plan, which has been suggest...inaudible...at this point in the year, made it may be too late in the growing season to complete it, so it would have to be done in the spring. But in either case, Mr. Hunkele, as has agreed to do that.

Mr. McGroarty: That's the kind of explanation that makes perfect sense, then because I didn't think too different...Mr. Careaga and Ploussas's office would miss that. So the way Jeff's plan shows now, that's what it will look like on the site plan as well when the remediation is complete.

Mr. Dwyer: The initial buffer area will be restored, yes.

Mr. McGroarty: Okay, and so the gravel will, the gravel will...and it's important because that's the outdoor storage area that gravel will never extend, but to the extent it does today extend into the buffer area that will be removed the way you just described it. And so Mr. Careaga's minor subdivision plan doesn't have to change because that's going...that'll be the way it really should look like when everything is done. Is that a fair way to say it?

Mr. Dwyer: I believe that's exactly right, Mr. McGroarty.

Mr. Pucci: Chuck, I would like to say that wait until I'm done speaking and showing you the site plan before we finalize that issue.

Mr. McGroarty: Okay. And then, Mr. Chairman, just the last comments. Mike already mentioned some of the discrepancies. Jeff is aware of some of this. Those are sort of relatively minor things that should be worked out between the minor subdivision and the site plan in terms of coverage and setbacks and such. However, let me just...let me just make sure that...we don't have a variance situation. No, I don't think so. I don't...unless, Jeff, there's nothing there that would trigger a variance...

Mr. Careaga: I didn't see that either. I saw no reason that another variance would have to be added...inaudible.

Mr. McGroarty: Okay. And you're comfortable with the comments, both from Mike and myself, that between yourself and the other engineer, Mr. Pucci, you guys can sort that out, clean that up?

Mr. Pucci: Yes, I have no problem with it.

Mr. Weiss: A simple way to do this. Thank you, gentlemen.

Mr. Dwyer: Okay. Mr. Chairman, if there's nothing further for Mr. Careaga, I would like to call our second witness, Mike Pucci.

Mr. Weiss: Before we do that, Mr. Dwyer...

Mr. McGroarty: I do have one other thing.

Mr. Weiss: Go ahead, Chuck.

Mr. McGroarty: I'm sorry.

Mr. Weiss: No, that's okay.

Mr. McGroarty: I apologize. Let me do it now, so I don't forget. There...could...Mike, could you put that plan back up again? Mr. Pucci, can you put that plan back up? There is a cross easement, which I don't believe we got copies of. So cross access easement...proposed. But I guess we're not going to...if we get to see the plan, you'll see it. But that's something that I just want to make sure. Can you zero in on that? Is that shown on Jeff's plan or on the site plan?

Mr. Pucci: Sorry. I had the wrong plan up there, and I lost Jeff's plan, I'll have to get it back.

Mr. McGroarty: Yes, Jeff's plan has the access easement for new Lot 85.02. And just so the Board sees it, so there's an access easement in there, we'll need to provide a copy of that proposed easement.

Mr. Pucci: Chuck, you're speaking about the assessment right here?

Mr. McGroarty: Yes. So...

Mr. Pucci: That will show on the site plan, but when I'm sworn in, I'll testify to that.

Mr. McGroarty: Okay, and what I'm saying is we don't have any...you'll need...it really was a checklist item, but you'll get that to us. Actually, so Mr. Vreeland, Mr. Buzak can review it. You'll get the access easement to the Board?

Mr. Dwyer: Sure, we can provide that.

Mr. McGroarty: Mr. Hunkele owns both properties. Is that correct?

Mr. Dwyer: That's correct.

Mr. McGroarty: Okay. Thank you, Mr. Chairman.

Mr. Weiss: Okay, so Mr. Pucci, you could bring that down and thank you for putting it back up. I know we were done with Mr. Careaga. Anybody from the Planning Board have any questions for testimony that Jeff delivered.

Ms. Natafalusy: I have a question.

Mr. Weiss: Go ahead, Catherine.

Ms. Natafalusy: When you were drafting this subdivision. Was there any consideration to creating...when you were creating the new lot to create it so that you didn't need a variance for impervious coverage on the second...on the existing lot?

Mr. Careaga: I think it would be a question for Mr. Pucci.

Ms. Natafalusy: But you created the subdivision plans, didn't you?

Mr. Careaga: That's correct.

Ms. Natafalusy: Okay.

Mr. Dwyer: We'll provide an answer to that, Ms. Natafalusy.

Ms. Natafalusy: Okay.

Mr. Weiss: Stay tuned, Catherine.

Ms. Natafalusy: Thank you.

Mr. Weiss: Alright. If anybody else has any questions for Mr. Careaga, if not, let me see if anybody from the public has any questions. I can imagine...I see nothing if anybody has a question, you could raise your hand. I see nothing from the public, so let me close it to the public. Mr. Dwyer, I'll send it back over to you. Thanks, Jeff.

Mr. Dwyer: Thank you, Mr. Chairman. We'd like to call as a second witness, Michael Pucci.

Mr. Weiss: Okay. Mr. Pucci, you'll determine which hand is right, and Mr. Buzak will swear you in.

Michael Pucci was sworn in for the record.

Mr. Pucci: Michael Pucci, P U C C I, CPL Partnership, 95 Matawan Road, Matawan, New Jersey.

Mr. Buzak: Thank you, sir. Mr. Dwyer...

Mr. Dwyer: Michael, would you please give the Board the benefit of your background, both work experience and education?

Mr. Pucci: I have a bachelor's in engineering from Rutgers from a very long time ago. I'm a licensed professional engineer in New Jersey, have been licensed for...I think around 34 – 35 years or so. I've appeared before Planning Boards, Zoning Boards throughout the state. Qualified as an expert in Superior Court, I've been before Mount Olive Planning Board probably from the late 80's on and the last time I think was probably about five years ago. I have not been up in your area in the last five years there or thereabouts, but I have been before your Board a number of times. And just to clarify one thing. My partner Gregory did not retire yet. He's on his way out, but he's still here.

Mr. Weiss: He's never going to retire, is he? That's not a bad thing. Does anybody have any questions for Mr. Pucci? I have no problem accepting Mr. Pucci as our expert witness in engineering for the site plan.

Mr. Buzak: Mr. Pucci, your license...inaudible...in effect as of today?

Mr. Pucci: That is correct.

Mr. Buzak: Thank you, sir.

Mr. Weiss: Okay with that, welcome back to Mount Olive, Mike. And I'll go back to Mr. Dwyer to continue his questions.

Mr. Dwyer: Mike, you're familiar with the site...your office and you prepared these plans that were submitted to the Board.

Mr. Pucci: That is correct.

Mr. Dwyer: And then could you please walk the Board through what are the existing and what are the proposed conditions on the plan?

Mr. Pucci: Certainly. And I'll start by sharing a screen with where I was before which was the site plan. And so I'm assuming you can all see the site plan now.

Mr. Buzak: Now, Mr. Pucci, this is Ed. We need to mark this...we should have marked the earlier one. I was derelict in not marking the first minor subdivision exhibit and will mark that first line of subdivision that we had up as A1 retroactively and will mark this one as A2. And what sheet is the future of your plans.

Mr. Pucci: This is Sheet 3 of 7 of what we call the preliminary and final site plan Phase 2. The 7 Sheet set of plans prepared by our office that was filed as part of this application. This sheet, 3 of 7, is known as the site plan.

Mr. Buzak: Thank you, sir. I'm sorry to interrupt you. You can proceed.

Mr. Pucci: Not a problem. So, what you see on here is a lot more stuff on a very similar plan to what Mr. Careaga just showed you, which was the existing 13 1/2 or so acre lot right here running on the outside. And this new dark line in the middle here, which we have proposed, and it was done in conjunction with Mr. Careaga's office and ours. So the line did move around a little bit as it was being developed, and that is the line that segregates the remainder Lot 85 from the proposed new Lot 85.02. And there was a question raised by a Board Member about could we have put this in a different location to not create the coverage variance? But the thing is, this area...this new lot here 85.02 is 5.01 acres and your minimum area required in this zone is 5 acres. So, if I were to shrink this lot, thereby increasing the area of Lot 85 remainder such that the impervious surface upon that lot was conforming to the ordinance, then Lot 85.02 would shrink below its minimum of 5 acres, thereby trading one variance for another. With regard to the actual coverage variance, I'll discuss that when I get to it. But just to answer the question that was raised just recently about why the line is where it is,



it was just because there's a minimum lot area for the zone of 5 acres. So what we're looking at here is the existing Phase 2 building. And as Mr. Dwyer noted in his introduction, the site has a Phase 1 building and a Phase 2 building upon it. Those site plans were prepared, I believe, by Mr. Careaga's office and approved...I'm going to say, I think around 2016 or 2018 somewhere around that time frame and they are existing buildings upon the site. There's also quite an extensive gravel area up here. You can see the word gravel area right there above in what will be the 85.02 should the Board grant favorable in the subdivision application. The end of the existing building today is located right here at this dark line...the left side of the Phase 2 building and what is being proposed is to extend that building. It's 100 feet deep, another 90 feet to the west, thereby taking all of the disturbance and pushing it 90 feet to the west. What exists today right now is virtually identical to what you see right here. That is pavement outside of the building, with parking spaces above and below. That pavement outside the building terminates right here at the current building wall. And so by extending everything 90 feet to the west, there are additional parking spaces and drive isle both on the north side and the south side of the building. However, all of this area today is gravel impervious surface. So we are not actually creating any new impervious surface on the site. We are just converting existing gravel or existing impervious surface. Some gravel is being converted to roof area, some gravel is being converted to sidewalk and some is being converted to pavement. Some existing pavement that is at the end of the building today is being converted to roof area or to sidewalk. So there is no net increase in impervious surface on the site as a result of this proposed building extension. There is simply a recharacterization of it. To that end, there is no exacerbation of the deviation that exists today on the site for impervious cover. It is an existing condition that is currently in violation of your 60 percent threshold in this zone. However, it is just a recharacterization of one type of impervious cover for another with this proposed expansion. The...there is, if you can see in this area here, a system of several...I believe it's 6 dry wells that were designed by Mr. Careaga with the initial construction of this Phase 2 building and that system of dry wells collects the rainwater from the roof area of the building through liter pipes on both the north and south sides of the building, and goes into that system to recharge into the ground and overflow, if ever necessary, since we are proposing to expand the building to the west in that area. We have soil logs. You can see these target little dots in these locations and we now have a system of 10 pits located to the west, still outside of the wetland and buffer area, which I will discuss with Chuck's concerns there in a little bit. But we have a new system that is now ten dry wells, as opposed to six to handle the recharge from the expansion, as well as the existing building. So, the existing building liter pipes will be connected extended actually across the facade of the new extension and connect with the downspouts from the expansion. That entire building then will be recharged into the ground in this system of ten that is being proposed. Going back to the thing I just touched upon. There is, in fact, a disturbance of wetland buffer right in this location. It does not show on this plan, but what happened was Mr. McGroarty noted in his report, and he took a snippet from I believe it's the 2000 and I want to say 18 plans for the Phase 2 building that Mr. Careaga had prepared, and they showed an expansion of the gravel area in this location, getting close to the wetland line and actually violating the wetland buffer line. That expansion, I believe, from what I understand, occurred during the construction of the building itself and just the gravel being leveled out the gravel to the west of the building, and it just went up to too far. And as Mr. Dwyer noted, when Mr. McGroarty raised that concern, the owner, Mr. Hunkele, has agreed that he will remove that intrusion into the wetland buffer. And I just asked Chuck that I could hold off an explanation until now because I want to expand a little bit and show this in a little greater detail. So, the line that was there in the past was not exactly a very straight line, it was kind of meandering. And what we would propose would be to pull the gravel back consistent with the edge of our development here and then wrap around the infiltration system, the seepage pits and allow the gravel to extend up to the regulated line, which is basically the wetland buffer line and not incur into the buffer. And we

will protect the edge of the gravel with some sort of delineation or demarcation to prohibit any further incursion into the wetland and buffer area, which was what Mr. Dwyer indicated was the subject of conversations between the NJDEP reviewer and Mr. Wander when they were discussing the LOI extension. Hearing no questions or concerns from Mr. McGroarty yet, then I will just finish up by saying with regard to the expansion, we are proposing to continue the pavement around the building, as you see here and back to the pavement on this side. There is a demarcation line right here between pavement where you have the parking spaces and the paved area, and behind that is a gravel area up to the edge of gravel. So, we're going to continue the paved area at the 24 feet width at the top. It's about 36 feet on the west end of the building, consistent with what was there when the building ended right here. And we will turn that back and have the drive out on this side, consistent with the existing edge or demarcation between asphalt and gravel just continued off to the west. There was a comment, I believe, raised in Mr. Vreeland's memo about ensuring adequate circulation movements for a fire truck, and we absolutely will work with the Fire Department and make sure that the fire truck can navigate around this completely safely. The demarcation line right here is simply between asphalt and gravel and certainly, if the asphalt has to extend a little bit further into the gravel, the truck can still make the turn. We will make sure that the wheels will stay on asphalt and not have to go to switching off of one surface onto another. That's really all we have from a site plan perspective, it's not a very complex scenario. It's converting existing impervious. That's one type of surface to another and not really doing anything that violates the coverage limitation. It's just recharacterization of what's there. And certainly, we will be eliminating extra impervious that's not allowed to be there as it is today and remediate that area or revegetate, as Mr. Dwyer indicated.

Mr. Buzak: Mr. Chairman, may I, I usually don't jump in as early as this, but I just want to get something straight from the testimony that Mr. Pucci has provided. Is it the applicants position that there's no need to obtain an impervious coverage variance because that's an existing condition and by now covering the impervious, otherwise previous impervious area with a building, there is no change in that, so there's no changed condition?

Mr. Dwyer: It it's our position, Mr. Buzak, that due to the perhaps uncertainty is not the right word. We wanted to make sure we could confirm the lot of coverage that was being requested here. So that, yes, a lot of coverage variance has been sought. Similar to sometimes requesting confirmation of a pre-existing condition by asking for the variance relief. That's what we're doing here.

Mr. Buzak: Well, and I'm asking that question because what I'm...if that's where we're going and this is a preexisting condition, it would seem to me that there needs to be technology on how that violation came into being. Now it's one thing if it pre-existed the zoning ordinance and therefore it's a preexisting condition. It's another thing if it was done after the zoning ordinance was in effect without an approval or at the time it was done, it met the requirements and then the requirements got more stringent. I'm just...the testimony is a little fuzzy here.

Mr. Dwyer: We're asking...we're asking for a variance, Mr. Buzak. We're not relying on preexisting conditions as being grandfathered. We're going to ask for the variance.

Mr. Buzak: And then following that. Who's going to provide the testimony for the positive and negative criteria that needs to be satisfied for the Board to consider that variance because I don't think there's been any such testimony so far.

Mr. Dwyer: We can ask Mr. Pucci to please speak to that.

Mr. McGroarty: Before he does, may I Mr. Chairman?

Mr. Weiss: Go ahead, Chuck.

Mr. McGroarty: I just want to make sure that we're clear on a few things. Number one, the town's ordinance does not count gravel towards impervious, but Highlands does. You're in the Highlands Preservation Area, and this site has already secured previously and I think I noted...well I do note it on my report on Page 3, was is a Highlands Exemption Number 4 issued? So, I'm glad Mr. Buzak raised that early. But I just want to make sure...inaudible...we don't...the town does not count gravel as impervious in the ordinance, Highlands does. And so that may have an effect there was a Highlands Exemption Number 4 issued. Right? The town does not count gravel as impervious in the ordinance Highlands does and. And so that may have an effect on what you have, what you don't have. And two other points, if I may. By removing gravel out of the wetland buffer area. And that will be vegetated. That will reduce some of that. What you are, I believe the applicant is considering impervious. I'm not sure to what extent, but that's worth taking note of. And my other point is, to avoid any of these issues where sometimes they become quote field changes. If the area behind the building, if it's necessary to expand the paved portion for fire access and the Fire Marshal did review these plans, I don't believe he's given us any comments. But if that became necessary, that would increase the impervious coverage again under the town ordinance. And I want to make sure that if an approval is granted. That if it becomes necessary to widen that pavement area back there, that the Board is clear what they want to do with that. Does it...does it sort of acknowledge the possibility that more pavement will go in the back tonight or with the applicant need to come back? But I think perhaps superseding those questions is the fact again, that Highlands has already granted an Exemption Number 4 to expand the amount of impervious out there. I know that doesn't help clarify anything, it probably confuses things quite a bit more, but I think we have to sort that out now.

Mr. Buzak: Mr. Chairman, I have a question of Mr. McGroarty if I might. With regard, Chuck, to your comment on Page 3, you mentioned the Highlands Comment 7.0. I understand exactly what you're saying. In your Comment Number 4 regarding lot coverage and you say with the reduction of Lot 85...resulting from the proposed minor subdivision remaining Lot 85 will have 78 percent coverage, in contrast to the maximum permitted limit of 60 percent. First of all, am I correct that that is the township's standard, that we're talking about the 60 percent impervious coverage limit?

Mr. McGroarty: Yes, township standard is 60 percent. And I must say, I don't know if Mike Vreeland did, I did not check to see if...the applicant had brought to our attention, they were seeking this variance. I did not check to see if they were counting both gravel and pavement as towards their impervious.

Mr. Buzak: Okay. And that was...I think that question needs to be answered because I think we're going to know the magnitude of the variance. Is it in fact, are they seeking 78.6 percent under our ordinance? Or is it some lesser number because maybe they included gravel as being impervious, which is not applicable when you're calculating under our ordinance. So, I'm going to pass that back to Mr. Dwyer and his experts, whoever calculated that 78.6 percent to ascertain on what was the criteria they utilized.

Mr. Dwyer: Yes, Mr. Buzak. Mike, are you able to speak to that?

Mr. Pucci: I've listened to all of it and I will do my best to answer. I'm going to say 80 to 85 percent, but I'm going to have to pass a little bit of that back to Mr. Careaga.

Mr. Buzak: Inaudible...add more percentages to this, Mr. Pucci. Hard enough time with the percentages we're talking about.

Laughter

Mr. Pucci: All right. I'll do 78.6 percent of the testimony. So, with regard to the 78.6 that is shown as the impervious coverage on the site plan, that it was characterizing gravel and sidewalk and building and asphalt all as impervious. And I looked at it from the perspective of stormwater analysis, and therefore I actually did the stormwater report with members of our staff here that was submitted as part of this application. However, I believe that there may have been confusion when Greg had taken that number and not broken it down further. So, the 78.6 characterization is encompassing things that you do not consider impervious. And therefore, the number would be lower. Though I don't have a breakdown at my fingertips of how much was gravel and how much was pavement and how much was sidewalk and so forth. But I do know that it was noted both in your report, Chuck, and also Mr. Vreeland's report that there's a discrepancy in the impervious coverage variance shown between my plan and Mr. Careaga's subdivision plan. I'm at 78.6 and I believe he's at 71.4, and I'm going to assume that Mr. Careaga is more accurate than me. And the 71.4 represents just asphalt. But I'm not going to describe that as accurate. I'm not going to testify to it. I said very much so. It's an assumption, and Mr. Careaga can clear that up when I'm done blabbing. But for the purposes of what we had shown on our zoning table of 78.6 that included all gravel as well, Mr. McGroarty. So obviously, the number is less. We also included as part of that number the existing encroachment because we had obtained that information, although it's not shown on the sideline. We had obtained it from Mr. Careaga when we were doing the stormwater analysis design, which was subsequent to the plans being finalized. So, we have a number in there that is probably two factors are making it a little conservative and it first...first of all, as you do note, when we do remove the improper fill of the wetland buffer area, what we call impervious surface, but is not counted towards the township's definition and therefore the zoning table that will go down. That will just make the stormwater better. And then when I characterize between gravel and impervious roof, sidewalk, and asphalt, the number will also go down further. Having said that, before I talk anything at all about the benefits versus detriments under the c2 criteria, I would just like to turn over the baton to Mr. Careaga for a minute to see if my assumption was even remotely close.

Mr. Careaga: Well, our coverage is also including gravel. So, if you need a break down of asphalt and gravel, we haven't done that and the 71.4 is the coverage utilizing the gravel as shown on our plan, which is, I guess, where it's going to be scaled back to.

Mr. McGroarty: So Jeff...

Mr. Careaga: So that 71.4 includes gravel and asphalt. We'd have to break that down for you.

Mr. McGroarty: Mr. Chairman, let me, if I may just jump. So, Jeff, your lower percentage reflects the fact that you didn't count because you don't recognize that gravel in the in the buffer area. So, when your count will be closer to the final result for...your count will be the final result. Because

am I getting that, right? Because the gravel that's in the encroachment area that Mr. Pucci counted, you saw it. You didn't include that because that's different on your plans. Is that that is that is correct?

Mr. Careaga: That is correct. And so...you know...the number should be 71.4 which will need to be broken down into asphalt and gravel. So, it's going to affect the...inaudible...it may be under 60 percent. Inaudible.

Mr. Pucci: Now, as just a note, Mr. McGroarty, the site plans that I believe were approved and I'm going to say they were done. Keep saying 16 or 18, I'm just turning my head to the side to take a look at them. They look to be dated in 16 and revised in 16. At least the plans I have that were prepared for Mr. Careaga's office. In their zoning table, they showed 62.7 as the impervious coverage at that time. So, there was a variance granted at that time for a minor increase above the ordinance threshold. But neither Mr. Careaga or I can give you an exact breakdown between gravel and other impervious surfaces right as we speak now for the purposes of setting a fixed number for tonight.

Mr. McGroarty: Right. And those plans...those earlier plans did not reflect a subdivision. Am I correct?

Mr. Pucci: That's correct.

Mr. McGroarty: Okay.

Mr. Careaga: An actual as-built was 60.4 is noted on the subdivision plan. So, it was it was under the approved coverage from the last application.

Mr. McGroarty: Yes, this is different now because it's...we're creating what...we'll be looking at two separate lots.

Mr. Careaga: Correct.

Mr. Weiss: All right. So, was there more testimony from Mr. Pucci on the maps?

Mr. Dwyer: Mike, you're going to speak to the variance relief?

Mr. Nelsen: Mr. Chairman?

Mr. Weiss: Go ahead, Dan.

Mr. Nelsen: Regarding the impervious coverage, with these different numbers that we're hearing 78.6, 71.4, if the 78.6 includes the gravel as impervious coverage and we do not consider the gravel impervious coverage, well then this addition would add to the impervious coverage, which is... which is not what was stated by...I don't know if it was Mr. Dwyer or the engineer.

Mr. Dwyer: Mike, would you address that, please?

Mr. Pucci: Yes. It will add to impervious coverage, as I described it, I believe I'm still sharing my screen. So, this picture, this box right here...

Mr. Nelsen: Right.

Mr. Pucci: ...is moving to the left. Like this the end of the building right now, this dark line here, if this line were to move over, you would still have then a 36 foot-wide bit of asphalt here. So, we're taking asphalt and moving it out here and there is an expansion of asphalt upon gravel.

Mr. Nelsen: Right? And some...inaudible.

Mr. Pucci: ...of building upon asphalt. So, there is actually some asphalt coming out at the same time, there's asphalt moving over, but the net result really would be just stretch. There is additional asphalt, basically the 44 feet of asphalt above the building on the north side and the 42 on the south side. Or what is it, 86 feet multiplied by 90 feet. That is new asphalt as part of this expansion, because this piece here at the left end of the building was over here and it's just moving over.

Mr. Nelsen: Right. I understand. I just...somebody testified earlier that there would be no increase to impervious coverage under our ordinance. In actuality, it would be.

Mr. Pucci: Right. Okay.

Mr. McGroarty: And again, for me...Dan, very good point there. But I also think it's very confusing, obviously, because we're going from gravel to asphalt and so on. But maybe just to step back and keep in mind the fact that this applicant was granted a Highlands Exemption Number 4 on February 9, 2016, which remains valid. And that allowed for a total or a total maximum impervious coverage of 513,376 square feet. So that was granted and now how that relates to our own ordinance, I'm not really clear at this point. But if the testimony...I don't know if we've heard this testimony yet...but if the testimony is that the proposal, the minor subdivision and this expansion will not exceed that coverage, then they're still within their Highlands Number 4 Exemption.

Mr. Pucci: That is absolutely correct. I mean, the amount of impervious service allowed is over 500,000 square feet. And the amount of impervious surface under this plan is just over 400,000 square feet. So, there are about 2 acres left of additional impervious surface allowed under highlands that are not being proposed as impervious, as a result of this application. Simply taking the 13.54 acre lot that's there today at your 60 percent threshold of impervious surface would limit the site in total to about 354,000, a little shy of 354,000 square feet of impervious surface. Yet the Highlands exemption allows over 150,000 square feet more than that. And we are proposing only around 50,000 or so square feet more than what the 60 percent threshold would be. Nowhere near what the highlands threshold would be.

Mr. Dwyer: So, Mike, is this a good time for you to try to go through what Mr. Buzak had asked for in terms of the grounds for granting a c2 variance?

Mr. Pucci: That sounds fine to me. Okay, so...well, where to start? On impervious coverage...you know...I would, probably look at this as a c2 benefits detriments scenario because I don't find...I mean, yes, it's a unique shape to this parcel, but that doesn't really lend itself to why I'm talking about impervious coverage. What I'm looking at is the benefits here. And...you know...I'd have to say, what points of the Land Use Law would I be advancing as a purpose here? I mean, I could...The standard A and C are...you know...your public general welfare, enhanced general welfare under A or appropriate air light open space. They're certainly appropriate air light open space here, as

seen. But really, what sticks to me is that under Purpose G, an efficient use of appropriate space, inappropriate locations for a variety of uses here. In this case, commercial or industrial use. So, what we're talking about is...zoom back out of this thing...you've got a 13 1/2 piece of land on the south side of Gold Mine Road. And as far as the frontage is concerned, when you drive down Goldmine Road, you can see into the site, really from the driveway and that's about it. It was a pretty substantial wooded buffer along the roadway here, a decent slope as well. The existing building that we're talking about is in the back here and there's open space behind it. And what we're talking...there's actually open space to the west of it as well and the former landfill across the street. So, what we're talking about is adding additional impervious surface in the back corner of a lot surrounded by impervious...I'm sorry...open space areas and our unimproved areas and not having any sort of impact that is really visible from the general public. People are not walking around behind this building or in the pond area here. So, I believe it is an appropriate location to allow deviation to expand the impervious surface above and beyond the ordinance threshold of 60 percent. And I really don't see any net detriment to the general public at all because we are handling all of the stormwater aspect of this or any runoff generated by this expansion is actually being contained in the expanded system that described the drywells in this location, so there's no net runoff impact or increase to the site. We're meeting all the stormwater management requirements of the township.

Mr. Dwyer: Mike, would it be fair to say that the highlands exemption could be a factor in saying that the proposed lot coverage does not pose a detriment to the public good?

Mr. Pucci: It's a very fair statement to make. I don't want to just say, they told me I could have it, so I want to do it. I want to make sure it's understood that there really is no net detriment to doing this.

Mr. Dwyer: Okay. And we haven't heard the testimony yet, but Mr. Schaffer is going to explain how beautiful this addition will be, another grounds for granting the variance. So, we hope is a grounds for granting the c2 variance that's been proposed here, Mr. Chairman.

Mr. Weiss: Okay, so let me see if Mr. Pucci could take the image down.

Mr. Pucci: Sorry.

Mr. Weiss: That's okay. And then what I'll do is let me turn it to the Planning Board to see if anybody on the Planning Board has any questions for Mr. Pucci? Just for clarification, was Mr. Pucci sworn in as a planner?

Mr. Buzak: He was not. I don't think he is a planner.

Mr. Pucci: I am a planner. Sorry. I'm a licensed engineer and planner and my, both of my licenses are active, valid, current, have never lapsed.

Mr. Buzak: Okay, well, thank you very much because I didn't know that.

Mr. Weiss: Yes, I was unaware of that, too, but that's that kind of gets rid of the other questions that I was about ready to ask. So, the testimony was delivered by licensed planner, Mr. Pucci. Does anybody have any questions for that planning testimony? Plus the remainder of Mr. Pucci's engineering testimony? And I'm not seeing any questions, let me turn it to the public.

Mr. Buzak: Well...

Mr. Weiss: Ed, go ahead.

Mr. Buzak: Yes, before you turn to the public. I think this issue about impervious coverage and the percentage and so forth being bandied about a lot of numbers here based upon the calculations, and I think we need to know what we're doing here. Because the point is if another application comes sometime in the future, we need to know that the Board granted a variance to allow for, whatever it may be, 69 percent coverage versus the 60 percent coverage. Because that variance will run with the land. We don't have that figure here tonight and we need it. It's really just that simple. We can't have this...you know what we're going to calculate and have figure it...that I understand, I'm not being critical necessarily, I'm just saying that in light of what's happened, we need precision here. So that when we act, we know what we've done and more importantly, future Boards and future applicants, with regard to this property, what they have and what they don't have. Thank you, Mr. Chairman.

Mr. Weiss: Sure, Chuck. Go ahead.

Mr. McGroarty: Yes. Let me just weigh in. This is my broken record moment that I occupy every meeting. I, as I've said before, the c2 variance, is at least in my view, should be very limited. I think the courts have made it clear they ought to be limited. And it's not just in the language of the Kaufmann Case, Supreme Court Case, not just when it benefits the property owner. It has to be a better zoning alternative or better planning alternative. Honestly, I think this probably...one could make an argument that it's a c variance in the sense that it's under the c1-c category. I'm not giving the testimony, I'm just making an observation. The c1-c talks about exceptional situations uniquely affecting a property, and perhaps the applicant might give some consideration to that. The fact that this was an asphalt plant and it was an industrial area of quarry, even in one area for many years. But a c2 variance? I don't see it fitting here as a better zoning alternative for the property. The fact that that it's somewhat isolated, so what? I mean, I just don't see it as that it rises to the level, but that's up to the Board. I'm not saying that the variance under the c criteria would not apply for the reasons I just said. And then, as Mr. Buzak just said, it really would be good to get a very precise idea of what we're talking about.

Mr. Pucci: Well, I appreciate the input, Chuck. And as you heard me say in the beginning, I was torn between c1, c2 and I thought that in my opinion, I thought that the c1 is kind of overused and I thought the c2 was more appropriate. But if your experience, in your opinion, is that you feel just the converse, I'm happy to comply with your concerns and you're the unique situation affecting this particular piece of property. I mean, I said, yes, it's a unique shape, and I kind of dismissed it and started talking about the positive criteria of the MLUL. But it is...you know...as you said, an industrial former use that's being sort of reused or revitalized and the specific piece that we're dealing with in creating this oddball shape, where in reality there's very limited frontage to the property. And the frontage really would be more appropriately looked at for the Phase 1 Building. This Phase 2 Building is tucked behind our new lot. So, I mean, there are no variances with regard to...inaudible. There are discrepancies, as you and Mr. Vreeland noted between my plan and Mr. Careaga, which we agree we're going to rectify. But realistically, what we look at is the front variance or front set back here, is really a side, because the front line, the sideline that's at 80 degrees, not 90, sort of meanders around and runs parallel to Gold Mine and forms almost a front yard to us. But it's really a side yard. It's a strange



sort of piece of property, and we are kind of trying to utilize it to the best of its ability and we find the current use actually it's not being expanded for any sort of speculative purposes. The current tenant and Mr. Hunkele can speak to that better. But it's my understanding the current tenant is so successful they just want to expand. They need more space. And so this particular property, they're here already, they're established, they're successful, and they just want to continue to be here and be a little bit bigger.

Mr. Dwyer: Mike, you spoke earlier about the fact that this is on Gold Mine Road. In fact, this particular lot coverage would be set back even further from Gold Mine Road protected by landscape buffer. But is there anything about the fact that the neighbors, the neighborhood and the other uses nearby mean that this particular lot coverage variance is not going to have detriment on the neighborhood?

Mr. Pucci: Well, certainly when you start talking about the neighbors, that is the case because you don't have...you have open space...you have a former landfill across the street, you have open space to your west and your south, and you have the remainder of our lot to the east. So as far as effect on the neighbors there, we're kind of tucked in to...I'm not going to call it unique because plenty of places are in those scenarios. But with regard to this application, yes, we are a very odd little enclave of our own and the activities that we're proposing are tucked into a little isolated corner of our property.

Mr. Dwyer: And it's not a residential area, there are no residential uses nearby, there's not a lot of traffic actually on Gold Mine Road. Is that correct?

Mr. Pucci: Well, yes, there are no residential uses nearby. I cannot testify as a traffic engineer as to what goes on in Gold Mine Road. Other than...inaudible...there have been very limited. I've been the only car on the road.

Mr. Dwyer: So, at Chuck's point, we believe that it could be granted on both c1 or c2 grounds. It's a unique piece of property. And we believe that the detriments to the public good are extremely minimal and the lot coverage variance will have no substantial impairment on the zone plan or ordinance.

Mr. Weiss: Okay. So, to follow up with Mr. Buzak's point then, what is it the lot coverage that we're looking to question?

Mr. Dwyer: Mr. Chairman, I believe that the testimony from Jeff Careaga was that we had calculated it correctly at 71.4 percent, and that's the variance that's needed.

Mr. McGroarty: He included gravel.

Mr. Careaga: No, I don't agree with that. We included gravel and asphalt. And I don't know, Chuck. Did they change the way that they calculate this because we always calculated the gravel as coverage in the other hundred jobs I did in town.

Mr. McGroarty: No, our ordinance doesn't include it, but I mean, Mike, under stormwater is a whole different story. And but as I said. You know, I'm kind of torn with this, that the focus on this, but I don't agree with the c2 variance, but that's rather academic at this point. I think overall, the fact

that that there was a Highlands Number 4 Exemption granted for almost a half million square feet or actually a half million square feet and change. And they're not there yet. To me that, that's persuasive in that they've complied with and they comply with the highlands plan, but as Mr. Pucci had said earlier, there was a variance granted in 2016. Now, Jeff, I don't remember, quite frankly, if that 2016 plan, your plan. If you included gravel, when you got that variance, perhaps you did.

Mr. Careaga: Yes, I did. I included gravel at that point too.

Mr. McGroarty: And I think what's key here...you know...Mike has been quiet. Mike Vreeland, our engineer. They've got to make sure...forget about the fact...that in fact, the property immediately to the south of this is not open space. That's a whole other story for another day. It's a very you came to discover that not too long ago, that's not protected open space. But...you know...critical issues about stormwater control and everything. And that that would be something obviously for Mike to be comfortable with. And if it's so much the aesthetic appearance of it, is this site going to cause a problem? Are we going to have stormwater runoff going onto neighboring properties?

Mr. Dwyer: We'd like to speak to that. Mr. McGroarty. Mike Pucci, could you please talk to that issue?

Mr. Pucci: The stormwater management?

Mr. Dwyer: Yes. I'm sorry, I thought I had already explained that. But we did have...

Mr. Dwyer: Did you have an opportunity to discuss it with Mr. Vreeland?

Mr. Pucci: Well, yes. I mean, we had provided a stormwater management report. Mr. Vreeland had two pages of comments, but he opened them up by saying, we have a bunch of little technical things that we've noted, and perhaps it's best if I work those out with the applicants engineer. I happen to call Mr. Vreeland yesterday and try and...ascertain what the concerns were. And I agree with him. There are a number of little, very minor technical things that drill down to very granular looking at charts and which chart was used at what point for what purpose. But there's absolutely nothing in Mr. Vreeland's report that is a problem. I agree that we will address all the comments in his report as far as...inaudible...is concerned. I've had people in my office already looking at...making adjustments through the stormwater management report to address the things that Mr. Vreeland noted, and everything still works completely fine. I have no problem stating on the record that we will revise a stormwater management report to Mr. Vreeland satisfaction, and I know it will still work and therefore we are reducing in conformance with all applicable criteria. Any runoff basically reducing the volume of all of the storms post development.

Mr. Vreeland: And if I may, as a follow up to that. Well, when we look at the potential impacts from a stormwater perspective, we look at the change in coverage, whether we, the ordinance considers it impervious or not based on specific definitions. And I agree with what the applicants engineer is indicated. They provided a design that meets the stormwater management requirements. And beyond that, they're recharging what is considered clean stormwater runoff from roof areas then...stormwater runoff from pavement areas. So, we don't have any...we don't take any exception or have any issue with the overall concept. We did have a number of minor technical comments that I think based on my conversation with the applicant's engineer are resolvable. But we're comfortable

with the overall design as proposed. And if I could just follow up with that, maybe with some of the open comments in my review report regarding...we could maybe go through a couple of those.

Mr. Weiss: Go ahead, Mike. Good idea.

Mr. Vreeland: Yes. So, in order to provide a little bit of clarity, I guess starting with Comment 3.6...you know...there...we were asking the applicant for demolition plan because there's a lot of a lot of lines on the paper and it's kind of hard to discern...you know...what's existing features are being removed, existing features are being added. So, we would ask that the demolition with a removal of those features be separately either on a demolition plan or on the existing condition plan not mixed in with the proposed conditions. Item 3.7, we raised that comment regarding the detail that was shown for the reinforcing grid in the wall. Our primary concern was if there was reinforcing grid that was going to be proposed. The wall was close to the property line and that may necessitate a cross easement to allow that to go into to be maintained. I haven't heard anything with regard to the solid waste and recyclables, so it's still an open issue that I'd like to hear a little bit more about. With regard to Chuck's previous comment, trying to avoid field changes...you know...there is a detail in the plan for bollards, but there aren't always shown on the site plan. So maybe we can hear a little bit about where those are being proposed. That pretty much gets me through...you know...the first couple of sections of my work. You know, we asked for some clarification of lighting. You had some questions with regard to the labeling of it and the details of the plan. And, those were primarily the open items, I think, remaining from my review report, if Michael wants to go through those.

Mr. Weiss: Mr. Pucci?

Mr. Pucci: Yes, to respond to those first started with the demo plan. I actually agree with Mr. Vreeland and have no problem incorporating that plan. It will make it easier to understand. As to the reinforcing grid, the retaining wall we're talking about is at one point and only one point a maximum of three feet high. The rest of the wall is shorter than that, and therefore there is no reinforcing grid necessary so that that concern goes away. Regarding solid waste and recyclables, I'm going to defer that to Mr. Hunkele, who currently has solid waste and recyclable management operations ongoing on the site. I would assume that that will just be continuing, but I don't want to put an assumption on the record. I will defer to the owner operator to give you information regarding that. As to the bollards, the bollard detail is there because we have existing bollards in front of the existing north and south phases of the building, and they will be continued across the expansion. Although there was already enough stuff and quite honestly, it just had to do the...inaudible. But you know, it's I agree with Mr. Vreeland. We should just clarify it and perhaps when we clean it up and have a separate demo plan for existing conditions, the demolition of one and the site on the other, it will become clearer and I'll make sure that it is actually clearer where the proposed bollards will be. And then lastly, with regard to lighting, your ordinance does require lighting of the entire site, but it is our proposal to light only the developed portion of the site and not light the undeveloped and unused portions of the site. And there are some other miscellaneous questions Mr. Vreeland raised in his report with regard to clarifying existing versus proposed wall packs. And I believe something to do with the exact configuration of LED panels within the fixture itself. And we agreed, of course, to comply with those concerns and address those in revised plans.

Mr. Weiss: Okay, perfect. Good way to do it. Okay, do we think there's any other engineering planning testimony that we need to discuss?

Mr. McGroarty: Well...

Ms. Natafalusy: Can I just...

Mr. Weiss: Chuck?

Mr. McGroarty: I just...I don't want to...I kind of papered over it, but back to Mr. Buzak's point earlier, if there is a variance for impervious coverage, then I think tonight if we can, if we can't somehow figure out, they should figure out, not us. What are we talking about? Everything excluding the gravel, if you're exceeding the 60 percent coverage, that does constitute a variance, even though they do have the Highlands Exemption. And so I think that that has to be addressed. And then the only other question I did want to ask Mr. Pucci, but it may be a question for Mr. Hunkele is how do you propose to delineate along the buffer area? You had mentioned that you know you're working with DEP and you're an environmentalist to get that gravel out of there. If you come up with a plan... I know you have jersey barriers out there now...but I'm not sure that's worked real effectively. Maybe something more visible. A fence, maybe bollards, something. I don't know, but I want to see if someone will address that.

Mr. Dwyer: All right. Steve, are you with us?

Mr. McGroarty: I mean, it can wait till Mr. Hunkele testifies, if in fact he is going to testify, I just want to put that out there.

Mr. Dwyer: I think now's a good as any.

Mr. Weiss: Let's swear Mr. Hunkele in.

Stephen Hunkele was sworn in for the record.

Mr. Hunkele: Steven Hunkele (H U N K E L E) 160 Gold Mine Road, Flanders.

Mr. Buzak: Thank you, sir. Mr. Dwyer?

Mr. Dwyer: Steve, what's your relationship to Hunkele Equities?

Mr. Hunkele: I am the president and owner and operator.

Mr. Dwyer: Okay. You heard Mr. McGroarty's question about intrusion into the buffer area for the wetlands. And how would you propose to prevent that from happening once you do make the remediation that you agreed to do? How would you propose to prevent that from happening again?

Mr. Hunkele: I do have, as Chuck stated, large jersey barriers on site and to his point, it obviously didn't work as well as we would have liked the first time. I could have a fence put up there. That would further delineate that area.

Mr. Dwyer: Would the fence be subject to potentially being damaged at some point? Is it...I'm not sure why the jersey barriers didn't work, but they would seem to be a better protection.

Mr. Hunkele: Yes, I think the barriers just kind of...you know...eventually strayed away from the buffer line because as we all know, if you hit one of those with any type of a vehicle, it's going to leave one heck of a mark. And they're not easily moved. I think it was really more of a...you know...misplacement in the first place. But if the if the Board would like to see something additional there, I'm not opposed to it.

Mr. Dwyer: Okay, so if I'm understanding the proposal would be to install the jersey barriers in the correct location to use that to protect the buffer area as well as the wetland area.

Mr. Hunkele: Correct.

Mr. Dwyer: And you confirm that you had the...there was conversations with the EPA and you can confirm that there was an agreement to remediate and revegetate the area that was disturbed.

Mr. Hunkele: Yes, Wonder Environmental has had a discussion with the DEP. We've agreed on a revegetation or replanting design with various grasses and whatnot. All gravel would be removed if soil were needed to help it revegetate, then we would bring in topsoil and replant everything.

Mr. Dwyer: Okay.

Mr. McGroarty: May I...may I just, Pat, may I just offer just an observation. I think if Mr. Hunkele is willing to put up a fence, a chain-link fence is probably, I think, a little bit better. I think it'll help everyone see because right now the jersey barriers and a lot of places are covered up with vegetation. And I think that just a chain-link fence would or some kind of fence would be a...just easier to see and understand. I'm not sure it would be damaged, I would trust his tenants out there would be careful enough not to drive into a fence. I mean, it's at the edge of the property over there. They really would seem to me have plenty of room to maneuver without getting that close to the fence.

Inaudible

Mr. Hunkele: Yes, I'm fine with that, Chuck.

Mr. Dwyer: And you heard Mr. Vreeland's comment about trash and recycling, how would that be handled for the addition?

Mr. Hunkele: Currently right now, the tenant has two six yard dumpster dumpsters, one for cardboard, one for trash. They're picked up Tuesday and Friday each week, and I imagine they're going to continue that plan. We do not have an issue of trash blowing around. If there has been trash on site, depending on which way the wind's blowing, and that's really only been a result from the transfer station, which is our two neighbors away, but we don't have issues with that being generated from our site.

Mr. Dwyer: Okay, Steve, I want to turn your attention now to your comment in Mr. McGroarty's letter about non-hazardous and non-flammable products and maintenance of vehicles on site. And could you please talk to that issue and what other vehicles that were in Chuck's report? What were those?

Mr. Hunkele: So in the report of the current staging area were some old ambulance, some fire trucks, I believe that were pictured in there, I believe there was three of them that were there getting outfitted with new sirens and videos. The current tenant retrofits brand new vehicles for first responders, police, and fire departments. At one point, they did have a business where they would refurbish ambulance and they would buy...you know...older chassis ambulance and would be able to save the bodies that came off the back because they were all aluminum. That is no longer a section of their business. All of those old ambulance have been removed from the sites as of about two weeks ago, and right now they are doing just new vehicle retrofits or fit outs. So there is no maintenance done on site. There's no oil changing. There is no mechanical work, none of that.

Mr. Dwyer: And one of his comments referred to containers that were on the site. Are they are they now gone?

Mr. Hunkele: The sealing containers that were on the south end of the building were really just left over from the previous construction. I know I don't have a use for them. They're empty. They can leave.

Mr. Dwyer: You're okay with having them removed.

Mr. Hunkele: Yes.

Mr. Dwyer: All right.

Mr. Hunkele: Does the town have a use for them? I'll donate them to the town. I mean, because I don't know what I'm going to do with them, but if the town has a use for that, I would be glad to donate them to them.

Mr. McGroarty: May I, Mr. Chairman, Mr. Dwyer, may I just...

Mr. Dwyer: Go ahead, Chuck.

Mr. McGroarty: Thanks. Back to the vehicles, I just want to be clear about it because as I indicate, I cited the prior Resolution from February 16, 2017, and I'm not going to read it...it's in the report. But the outdoor storage area was going to be for construction related materials, and Mr. Hunkele just addressed the question about maintenance of vehicles outside, but I'm not suggesting that what's done today is improper, but it was never envisioned that this back area, this outdoor storage on gravel was going to be a parking area. And if this tenant is expanding for another 9,000 square feet, it suggests that there's going to be even a greater need for vehicle parking. So, the point is if you're going to park vehicles on this outdoor storage area, I think we should call it what it is, which is an outside parking area. And I don't know if then it should be paved. I don't know if it should be curved. I think they've asked for a waiver. Mike's report goes into some of those waivers that they've asked for or exceptions I should say. Not to curb parking and so on. But that's the first point. The second point about the containers that want to make sure we're talking about the same things because they don't exactly look like Sealane Containers...Sealand Containers, the ones in the back the photos that I provide have almost what appear to be windows in them. And when I was walking around, I don't know what they are. But if it doesn't really matter if all of those structures are going to be

removed, then fine. If they're going to stay, they have to be identified on a plan. They have to be treated as accessory structures and a variance would be required because of the setbacks.

Mr. Hunkele: They're going to be removed. Chuck the windows you're referring to were just some, some things that were stored on top. They're not fixed to those structures, to the sealing containers, but they will be removed. The vehicles that come on site that are in staging to be processed are only in that...you know...staging area for sometimes as little as 2 days, but never really exceeding a four day period. Until they are put inside where they zig zag in and out of the building as they hit various stages of the fit outs. So, it's not designed to have vehicles parked there for any long period of time. It's just until the new ones hit the far end of the building...completed and then as they can shuffle them in, they'll go through trailer loads of cars and trucks a week when...

Inaudible

Mr. McGroarty: What I'm saying is that...it's perfectly understandable that when you came in a number of years ago, this perhaps...this tenant wasn't in your in your plan. And so the idea was you're going to store other kinds of material outside. I recall, I believe, it was your uncle gave testimony as to kind of material used in your line of work. And that changed. And now you have the major tenant in this building...if not the only tenant. I don't know who. This is...this is what they do. They work on vehicles. So, the outdoor storage is really going to be a continuous...it's going to be an area for continuous parking of vehicles, whether those vehicles stay for a day, two days a week, whatever. But there's always going to be a rotation of vehicles in this area. What I'm asking is if should these be on a paved surface versus on gravel? Maybe it'll be better once this gravel area is better defined, maybe that'll alleviate some of the concerns because some of these vehicles are way back by the wetlands. Maybe that concern will alleviate. I just want the Board to be comfortable, and the Board is fine with the fact that this is really outdoor storage is really going to be parking essentially. Whether it's short term, long term, whatever it may be, it's going to be parking vehicles.

Mr. Dwyer: I don't think we disagree with that, Chuck. I think it's just a different form of outdoor stores, but you know, it's not...it is a permitted use as I understand in the zone and has been designated for that use. Although it's slightly different, it's essentially the same type of use that was...

Mr. McGroarty: Well, not exactly. Not exactly. It's not the testimony that was offered several years ago. And again, if it changes, I mean, there may be issues here with oil and spillage and other things. I don't know. And I'm not saying it's a bad thing, I'm just saying maybe parking on gravel is not the right place for it, or maybe it maybe it would be better controlled once more fencing is put up, but it deviates from what was in the prior Resolution. And so I think it's helpful at this point to clarify what in fact you are going to use it for. It's not really outdoor storage as much as it's parking.

Mr. Weiss: Do we need a definite direction from them, Chuck, I know your question seem rhetorical, but do we need answers?

Mr. McGroarty: Well, I think what happened is the tenant changed. The building when it was proposed was going to...there was going to be construction...pipes and things of that nature outside. And that's why the Board granted as an accessory use outdoor storage on gravel. Now it seems pretty clear that this is a successful occupant, and they want to expand and they don't need to store pipe or anything. They store vehicles. And what I'm saying is, should they be on a paved surface, is it still okay to leave it on gravel? Should there be any tighter perimeter drawn on this outdoor storage area now

that we know it's going to be actually vehicles? Is there any concerns about any leakage from these vehicles? Inaudible.

Mr. Weiss: And those questions are directed to the Planning Board, I have to assume, Chuck, because your points are well taken. Any time you're storing vehicles, you're going to have the potential of gas or oil leak. I think if you start looking at, do we pave this property, maybe paving will help give us a clear delineation of where the gravel and the wetlands end or begin. It might...it might make the entire lot look a little cleaner. I'm not sure, and I don't know if you need us to give that direction now or something for the future.

Mr. McGroarty: Well, you know, back to our earlier conversation about pavement if it's paved...certainly it's going to be counted towards impervious.

Mr. Weiss: Yes.

Mr. Hunkele: I would just like to add that the vehicles that are coming in and are being into the...into their process are brand new. They have no road miles on them. They are coming direct from the manufacturer.

Mr. McGroarty: But some of them are retrofitted, aren't they, because some of these in my pictures that I show here, those are not new vehicles.

Mr. Hunkele: Those vehicles were part of an old segment of their business that they haven't operated in over 36 months.

Mr. McGroarty: And I was only there three weeks ago.

Mr. McGroarty: I'm aware of that, but that's probably a housekeeping...you know...fault on my end, Chuck, that I didn't make them rid a lot of them sooner. But they haven't touched those vehicles. The weeds were up...you know...four foot around them. They are no longer in the used section of that industry. It's all new vehicles now.

Ms. Natafalusy: Did you say those vehicles are gone?

Mr. Hunkele: Yes, they're gone.

Mr. Weiss: Ok, so they already are gone.

Mr. Hunkele: They're gone. As of going over two weeks or maybe right around two weeks now they're all gone. So that's the current lot there to the west end, I mean, almost has no vehicles in it right now, only because the shortages that we're all experiencing across the country.

Mr. Weiss: So if we go back to Chuck's report on Page 5, where he took two pictures of school buses and ambulances, those are gone.

Mr. Hunkele: All gone.



Mr. Weiss: All right, that's. Can't ask for more than that. I guess the concern of the Planning Board is we want to make sure they don't come back, come back under another form. We heard what you said about the whole new business plan and they're not retrofitting and they're doing the vehicles, and that's wonderful. But we certainly want to make sure that this situation doesn't recur for whatever reason. They change their business plan again and now we're back to where we were. So, we just want to keep the property clean.

Mr. Dwyer: Mr. Chairman, is it possible for the Board to consider allowing those particular types of new vehicles to be parked there in the same area to be delineated however the Board might choose? This is not...you know...like before and Chuck doesn't necessarily agree, but that's where storage for that area was. That was considered originally, although it was a different type of outdoor storage. And yes, the tenant has a new business, but from what we're hearing, there's no...if it's...inaudible... vehicles, it's probably not going to be any spillage.

Mr. Vreeland: Is there going to be room to put them back over there? Once the wetlands buffer area is restored and the buildings expanded?

Mr. Hunkele: Yes, it won't be big, but there would be room.

Mr. Vreeland: So, and I guess...you know...as a follow up once the wetlands area is restored and the fence is up, at least the Board...at least there'll be a physical barrier out there to delineate this area. Because that's one of the problems that we've had with other applications that these outdoor storage areas have a tendency to creep. So, in addition to, I think, providing a barrier to protect the wetlands buffer area, that barrier is also important to define and keep inadvertent creep from occurring for...you know...for potential storage areas.

Mr. Weiss: You know, the other thing I'm just thinking about when I'm listening to the testimony and these vehicles have been there for a long time and I understand, Mr. Hunkele, that they're gone, but with the grass growing between them...didn't that become more of a salvage yard, a junkyard? And that's kind of not...we don't want any part of that.

Mr. Hunkele: No, neither do I. I mean it...like I said, it was really a housekeeping issue on my end.

Mr. Weiss: Right. And I understand and I appreciate the fact that it's gone. But now Mr. Dwyer made a suggestion that we allow for this again in the future. And quite frankly, I want no part of these abandoned...I don't want to call them useless. I don't know enough about it. But vehicles that are not being used, they're sitting in storage. They're rotting away. Grass is growing around them. I don't think we want any part of that.

Mr. Dwyer: I was only suggesting...I was only suggesting the new vehicles, Mr. Chairman. Not used.

Mr. Weiss: Okay. All right. Thanks for that clarification. I would imagine that new vehicles would have a very short stay on this gravel lot being that they're brand new versus these other vehicles that have used outlived their usefulness.

Mr. Hunkele: Absolutely. They really are in need of more production space they don't need. You know...one would think that the ratio of more roof space would also equal additional storage outside, but they need to get them in and out of the building faster than they currently are. That's really the need.

Mr. Weiss: Yes, I would agree with that.

Mr. Mania: Mr. Chairman?

Mr. Weiss: Yes, John, go ahead.

Mr. Mania: Mr. Chairman, if I may. Am I hearing correctly that they'll never be used vehicles on the site? All new vehicles? Is that correct?

Mr. Weiss: I guess that's to Mr. Hunkele.

Mr. Hunkele: Their current plan right now is to bring in new vehicles for...and they have long contracts for this with the FDNY, NYPD, even some of our local more local bodies around here. That's not to say that the Morris County Sheriff's Department doesn't show up with one of their 2019 swat vehicles to get the radio fixed. But we are definitely not talking about a vehicle from the 1980's that's rolling into the parking lot. That's not happening.

Inaudible

Mr. Hunkele: I'm sorry.

Ms. Natafalusy: How many would be there? How many do they get a week?

Mr. Hunkele: Honestly, really depends on their...right now, they're getting none. But that we all know that that's not that's not going to continue or we hope it doesn't. But they go through approximately two to two and a half trailer loads a week. And I don't know how many come on a trailer. I think it might be as many as eight or nine and they will process them. So they get deliveries, usually on Monday. The load goes out on Tuesday and that process continues for the week. So, cars are really not staged outside for a long period of time.

Inaudible

Mr. Hunkele: I'm sorry.

Ms. Natafalusy: If they get eight in, are they sitting in on the grass or the gravel area waiting to be retrofitted or however you want to say it.

Mr. Hunkele: Not if they can help it, not...

Ms. Natafalusy: They bring them in the building?

Mr. Hunkele: That's really the need for the addition is they don't want them sitting outside. They need to get them done faster.

Ms. Natafalusy: Is this the old First Priority?

Mr. Hunkele: This is First Priority.

Ms. Natafalusy: Next door?

Mr. Hunkele: This is First Priority that moved from the previous building...

Ms. Natafalusy: Right.

Mr. Hunkele: ...some of the ownership has changed and therefore the business model did as well.

Ms. Natafalusy: Thank you.

Mr. Weiss: The open question is, do we need to delineate a parking area, right? Is that right, Mr. Dwyer? Are we trying to determine if we need to delineate this?

Mr. Dwyer: If that's what the Board would like, Mr. Chairman, it seemed to be a suggestion.

Mr. Weiss: But it sounds like based on the testimony that there is really no more need for outdoor parking. I don't know, I'm just concerned about when production picks back up and now you're not getting two trucks a week, you're getting five trucks a week and there need there's a need to put these things outside. Even short as it may be, we need to have an area for them.

Mr. McGroarty: You know, Mr. Chairman, I think you hit on it before, though. If it's a constant rotation of new vehicles that are getting worked on. To me, I mean, that's really no better or worse than loads of pipe and other kind of construction equipment. But your point about it turning into a junkyard? That was the concern. You know, it couldn't quite articulate it, but the way you zeroed in on it, that's the problem. And if that...if that's going to go away because their operations have changed and maybe the Board can condition somehow that...you know...there not be long term storage of vehicles or something like that. I don't know. If it's a parking area that's delineated with the fencing, Mr. Hunkele has already agreed...actual fencing along the wetland buffer area. And as Mike said, it'll help us get a better...everyone will be very clear where this storage area ends. If it's vehicles park, if they are new vehicles and if there's a constant rotation shouldn't be a problem. We just don't want a junkyard back there.

Mr. Weiss: And I think Mr. Hunkele's testimony is very clear and exciting, and I would imagine that if his tenant business model changes, then I suppose you'd need to come back in front of us and talk about the needs of the new business plan. But right now, it sounds like you have a long-term future long-term contract with some very large customers. It looks like this is a business plan that can go many years, and I think you're right, Chuck. We just go with the delineation of a fence and stay the course. And if anything changes, then of course, Mr. Hunkele would have to come back and explain to us why...what's changed and what needs to be done to account for the change. I think that's pretty fair and common sense. Does anybody disagree with that? Okay.

Mr. McGroarty: I do have one other question for Mr. Hunkele while he's here, and I know the architect may get to this, but...Mr. Hunkele, you already know who you're going to put in that 9,000 square feet. It's going to be an existing company. You're going to move over, right?

Mr. Hunkele: Yes.

Mr. McGroarty: Okay. Because that will...the last comment in my report is the comment from the Health Department. And they wanted more information and on the floor plan, it shows space for six separate tenants. Is that going to change? Is it all going to be just one space now for this existing company?

Mr. Hunkele: This is going to be one space.

Mr. McGroarty: Okay, so the architecture of the floor plan will reflect that. As it is now, this was more of a conceptual layout, I suspect, right?

Mr. Hunkele: Yes, that's correct. When this was originally built, Chuck, it was designed to be a flex space for a lot of different tenants...you know...but that this this addition is one tenant.

Mr. McGroarty: Right. This addition on your plan, Mr. Schaffer's plan, this is the 9,000 square foot addition shows space for six tenants.

Mr. Hunkele: That's not what's going to be happening today, no.

Mr. McGroarty: Okay, so that that will change and that may address then the Health Department's question because they want to know about who's going to be in there and the questions about septic and so on. Which I take it your engineer, Mr. Pucci perhaps has already looked at that that comment.

Mr. Weiss: Well, maybe now's a good time if we have no other questions to bring up Mr. Schaffer. I'm not sure if anybody else has any questions for Mr. Pucci. And I don't see anything I'm going to go to the public one more time. I see nothing from the public. Unless there is a question.

Inaudible

Mr. Weiss: Okay, so let's do this. I'm not going to...I'm going to turn it back over to you, Mr. Dwyer. And thank you, Mr. Pucci, for your testimony. Mr. Dwyer, I suppose you'll bring up Mr. Schaffer.

Mr. Dwyer: I would like to Mr. Chairman. I call Charles Schaffer please.

Charles Schaffer was sworn in for the record.

Mr. Schaffer: Charles Schaffer of Charles Schaffer Associates, 288 Newton Sparta Road, Newton, New Jersey. Schaffer is spelled (S C H A F F E R).

Mr. Buzak: Thank you, sir.

Mr. Dwyer: Hello, Charles.

Mr. Schaffer: Good evening.

Mr. Dwyer: Tell the Board what's your experience as an architect, please.

Mr. Schaffer: Sure, I was...I was licensed in 1980. At the same time, I was licensed in New Jersey, New York and Pennsylvania. Built many buildings throughout the state of New Jersey. As a matter of fact, we've done quite a few buildings right on Gold Mine Road, as well as the building where you're adding on now. We did that about probably six or seven years ago.

Mr. Dwyer: So, you've testified before this Board before?

Mr. Schaffer: Yes.

Mr. Dwyer: And you drafted the plans that were submitted to the Board.

Mr. Schaffer: That is correct.

Mr. Dwyer: Mr. Chairman, we ask that he be qualified as an expert architect.

Mr. Weiss: Sure, I'll just ask the question that Mr. Buzak will be asking to find out and confirming that Mr. Schaffer your licenses are current in the state of New Jersey?

Mr. Schaffer: Yes, they are.

Mr. Weiss: Well, I have no problem accepting Mr. Schaffer as our expert architect. If anybody from the Planning Board has any questions. I don't see any. So welcome back to all of Mr. Schaffer, and I'll turn it back to Mr. Dwyer.

Mr. Dwyer: Mr. Schaffer, are you able to pull up your plans to show the Board?

Mr. Schaffer: Sure. Let me get my screen sharing.

Mr. Weiss: We would probably most likely mark this A-3.

Mr. Buzak: That is correct, Mr. Chairman.

Mr. Schaffer: Well, let's see here, which I know I have. Well, now I'm a little bit embarrassed because I had it right here when we started. Let me just see. No.

Mr. Weiss: It could have been worse.

Mr. Schaffer: Yes, I brought them up, and I do not have them. I'm embarrassed by that, but I did. I think I have this. Let me go back.

Mr. Dwyer: They were posted on the website, were they not? Yes.

Mr. Schaffer: Yes, yes.

Mr. Weiss: So, I think people referred to it looks like I'm looking at architectural plans A1 on...looking at your plan of the elevations, is that what you were looking for, Mr. Schaffer?

Mr. Schaffer: Yes, that's correct. There are 2 sheets, A1 and A2.

Inaudible

Mr. Schaffer: One depicts the floor plan, the others is the elevation.

Mr. Weiss: So, I'm sure all of us have it in front of us. I'm looking at A1. That's what you're going to testify to. Let me help move it along. I will call this exhibit A3 which is Page 1 of your two page submission, and it's entitled I can't read that...addition to building...addition to the building elevations.

Mr. Schaffer: That is correct.

Mr. Weiss: I think we can accept that without you putting it up, you can take down your presentation.

Mr. Schaffer: Okay. Let me get that. So anyway, what we are...what we are proposing is the existing building or the current building is the building that we did probably six or seven years ago, and it was built as a flex space building, it's about 30,000 square feet. And what we are adding is another 90 square feet to it, which make it 90 by 100 to give it 9,000 square feet. The facade of the building and penetration of the building would be exactly what is there currently. We're just going to be extending it three more bays. There are currently ten bays there. So, what you will be seeing will be these extra three bays. The reason why we showed it in the six different units is as a possibility that someday as a flex space building, it could be six spaces. But for this, we did not know that when we came up with the concept that one person was taking the entire space. So, with this application, it would be 1 tenant within the 9,000 square feet.

Mr. Weiss: The drawings, Mr. Schaffer, showing the addition, three bays...inaudible.

Mr. McGroarty: I'm not...Howie, I'm not hearing you.

Mr. Schaffer: I'm not either. I'm sorry.

Mr. Buzak: Mr. Schaffer, can you remove that from the screen?

Mr. Schaffer: Yes, let me see...it's usually my secretary does all this kind of stuff. Let me get rid of it here if I can.

Mr. Buzak: Go down to screen share and unshare your screen.

Mr. Schaffer: I'm trying to find that actually, it's not popping up. Let me just do this here on share. Stop, share. Here we go. Anyway, you had a question before...

Mr. Weiss: Can you hear me now?

Mr. Schaffer: Yes, you're clear now.

Mr. Weiss: Okay, and just only because we weren't able to put it up for everyone to see. And I'm not sure if everyone on the Board has it, but we're looking at your Page 1 of your elevation, the center picture right in the middle, showing three bays of the addition to the left. Correct me if I'm wrong, is the existing building which is unshaded or in white?

Mr. Schaffer: That is correct.

Mr. Weiss: And then then from the rear, it's opposite. It's just a reverse because it's from the rear.

Mr. Schaffer: That is correct.

Mr. Weiss: I think that that's pretty standard fare. I just want...I'm looking at the roof line, the roof elevation. Just put that in perspective for me, the entire drawing in the upper left corner is that all the addition?

Mr. Schaffer: Yes, everything that you see on that sheet, we did not show the existing building. Everything you see is new construction.

Mr. Weiss: Okay.

Mr. Schaffer: The ridges will line up, the fascia will line up, the gutter lines will line up. It would be just a continuation of the existing building.

Mr. Weiss: Okay. Fair enough. And was there anything on the second page besides the fact that you're showing us the potential of a flex six unit? Any other testimony to that page?

Mr. Schaeffer: No, just basically what you see there will be six doors and that will be now one tenant space.

Mr. Weiss: Okay. And that's been the testimony from both yourself, as well as Mr. Hunkele that the 90,000 square feet will be...

Mr. Schaffer: 9,000.

Mr. Weiss: I'm sorry, 9,000 will be one tenant.

Mr. Schaffer: That is correct.

Mr. Weiss: Okay, very clear to me. Ed, do you think we need to mark Page 2 of this exhibit as A4?

Mr. Buzak: I think we should, Mr. Chairman. So, let's do that. That's Sheet A-2.

Mr. Weiss: And A4 was basically Page 2 of the submission showing the 6-unit potential flex.

Mr. McGroarty: Mr. Chairman?

Mr. Weiss: Go ahead, Chuck.

Mr. McGroarty: I would suggest that that plan be revised.

Mr. Weiss: Okay.

Mr. McGroarty: For not only just to be consistent with the testimony tonight and avoid confusion going forward for the occupancy because I...but also to address the Health Department's concern which may go away because I don't know if there'll be as many bathrooms in there. Mr. Schaffer, will there be as many bathrooms in there?

Mr. Schaffer: No, no.

Mr. McGroarty: Okay. So I think that floor plan should be revised. And again, the Health... any approval would be conditioned on Health Department review anyway.

Mr. Schaffer: Yes. I don't have a problem with that.

Mr. Weiss: Okay, thanks, Mr. Schaffer. Does anybody have any questions for Mr. Schaffer based on the testimony he provided on Exhibit A3 and A4? I don't want to cut you short, Mr. Schaffer. If you have anything else. Feel free.

Mr. Schaffer: That's it.

Mr. Weiss: Okay, so I see nothing from the Planning Board. Let me see if anybody from the public. It's either Dane or the recorder. So, I'm going to assume nobody from the public has any questions or anybody else from the Planning Board. Well, thank you for that very straightforward testimony, Mr. Schaffer, I appreciate it.

Mr. Schaffer: Thank you.

Mr. Weiss: Mr. Dwyer, back to you.

Mr. Dwyer: Okay. Thank you, Mr. Chairman. In my mind, there was only one open question from the review letters and from the comments of the Board and the Board Professionals. And that was the what's...what's the variance for lot coverage? What is the size...inaudible? And the reason I bring this up, because I think that there is some...I think you're right, there is some question about what it is and how it should be calculated. I think the applicant is willing to agree this evening. Steve will tell me if I'm right about this. To accommodate all the changes that have been requested by the Board and its professionals as has been testified to here and with that in mind, asked whether or not if Mr. Buzak believes it's possible for this application to be...to come to a vote with the understanding that the lot coverage variance shall be not to exceed that was requested by the application and the application form and to be delineated and specified, potentially post a vote. And



the reason, of course, I'm saying this is because he's very much like to get a vote. The applicant is trying to accommodate a tenant who is looking for...looking for us to move forward as soon as we can,

Mr. Weiss: Maybe to help finish your sentence, Mr. Dwyer, lot coverage variance not to exceed 71.4 percent.

Mr. Dwyer: That was the best choice for Mr. Careaga.

Mr. Weiss: I know that you're making a suggestion. So, I wanted to complete the sentence. That's all.

Mr. Careaga: In the meantime, I have actually calculated a rough estimate of what the variance should be. And I would say that the variance should say not to exceed 64 percent.

Mr. Weiss: Jeff, thanks for doing that.

Mr. McGroarty: And, Jeff, that's 64 percent, we're talking about remaining Lot 85, correct.

Mr. Careaga: That's correct. I think existing, it's going to be under that. I mean, it's probably going to be substantially under that. But to be safe, it's going to be at that number, 64 percent.

Mr. Weiss: Ed, do you think that's a doable...a doable thing to do.

Mr. Buzak: Well, I think...you know...if the Board is comfortable with and I think that we can do it by the purpose or the intention of my comments was to get something specific so we know when the applicant comes back what the standard is and whether they need a variance from something else. Now, if they don't meet, if they...if their impervious coverage is less than 64 percent and they come in again and they're at 63.9 percent instead of 62 percent, then they don't need to seek a variance because they have the variance that the Board has granted. If the Board is comfortable with that, and our engineer and planner are comfortable with that, I'm certainly comfortable with it from the legal end.

Mr. Weiss: Okay. That's what I wanted. Chuck, you're okay with that as well.

Mr. McGroarty: Yes.

Mr. Weiss: Okay. Fantastic. Mr. Batsch, go ahead.

Mr. Batsch: I just have a question for Jeff. Jeff, does that include gravel as well as pavement?

Inaudible

Mr. Careaga: I did a quick calculation of what the gravel was, when subtracted it and added the impervious coverage that's proposed so...that is not including the gravel that's in accordance with the township regulations.

Mr. Batsch: Thank you.

Mr. Weiss: Okay. It sounds like there's not much to objection from the Planning Board to move forward in that direction, Mr. Dwyer. I'm showing one other open item. And Catherine, I'm going to turn to you. We have a copy of some comments from the Environmental Commission. I got to assume, Mr. Dwyer, you were made aware of these concerns.

Mr. Dwyer: I don't. I don't believe we saw them, Mr. Chairman.

Mr. Weiss: I don't think they were excessive. But Catherine, looking at the email that was received from the Environmental Commission, do you think they've been satisfied with the testimony today?

Ms. Natafalusy: Yes, I think so. But I thought this, I thought this was shared with Mr. Dwyer.

Mr. Dwyer: I don't remember seeing it, Ms. Natafalusy. If I missed it, I apologize, but I didn't remember seeing

Mr. Weiss: The version I'm seeing, Mr. Dwyer, was more of an internal was from the Environmental Commission to Catherine, who's a liaison with Mr. McGroarty. I wouldn't hold you to it because of the fact you weren't seeing it. But whether you know it or not, the conditions were satisfied through your testimony. So, we don't need to spend any time on that. Catherine, thanks for clarifying that. That's really the only open item I have based on a lot of reports and things that we spoke about. Mr. Dwyer, did you want to wrap it up or have any other testimony?

Mr. Dwyer: Very briefly, we believe that this application has good legs and it will allow a ratable to continue. It doesn't really pose any detriments despite the lot coverage variance, which we now know is smaller than originally defined, and we hope the Board can see its way forward to approve.

Mr. Weiss: Okay. So, I think what we probably want to do, Mr. Buzak, I've been taking notes. I have a bunch of conditions. I don't know if it's in the right order, but hopefully my notes will be able to remind ourselves what we talked about. One of the conditions I made a note is that the applicant will comply to all of Mr. Vreeland and Mr. McGroarty's comments in the report. A condition that the sceptic is to be modified with none to be shown on 85.02. I have a condition that the applicant has agreed to put a fence to delineate the buffer and that a condition that the containers will be removed. Obviously, the vehicles have been removed. And I have a condition that Exhibit A4 which is the six unit subdivision flex warehouse will be revised to show one user. And of course, I think I don't know if it's a condition or certainly the lot coverage variance not to exceed 64 percent on Lot 85 somehow should be noted or perhaps that will be the variance itself. I'm not sure how to handle it, but those are the items that I had written as far as the conditions as we went along.

Mr. Buzak: Mr. Chairman, I have the following the other ones, but let me just put these on the record. There's going to be a...inaudible...discrepancies between the information on the minor subdivision plan and on the site plan. Mr. Chairman, I'm looking at them. You've already mentioned, so I don't have...I don't know if Susan has any that we missed. Again, these are preliminary...inaudible.

Mr. McGroarty: Mr. Chairman, I may have missed it. Did you mention the removal of the gravel?

Mr. Weiss: I didn't, and I got to wonder if that's going to happen for them to satisfy that last condition, which is not to exceed 64 percent.

Mr. McGroarty: But here's no...what I'm what I'm asking...I was going to say...what I'm asking about is the gravel that the testimony earlier of Mr. Pucci, the gravel is going to be removed where it encroached into the wetlands area...

Mr. Pucci: The buffer area.

Mr. McGroarty: Into the buffer area. I'm sorry. And then and so that would be a condition, and I don't know if they can tell us what the timetable will be for that.

Mr. Weiss: I think you're right.

Mr. Pucci: Chuck, I'm not sure...you want to know when the gravel will be removed?

Mr. McGroarty: Yes.

Mr. Pucci: Okay.

Mr. McGroarty: Well, you're...as Mr. Buzak just said, the site plan, the subdivision plan need to be reconciled. There's a lot of minors...you know...numbers and stuff making sure they're all accurate. But the key thing is that they're both...when all is said and done, they're going to be consistent in terms of where the gravel is going to be based on Mr. Pucci's testimony earlier. So, I don't know, because you're dealing with DEP, I don't know if that's something that you can do immediately. And I understand that you revegetating the area may not happen until the spring or next year or so, but the removal of that gravel is that going to occur within three months, six months a year?

Mr. Hunkele: I mean, I would like to remove the gravel when the construction is complete. That will also help stabilize that area as we reach toward the spring. It can be removed now. I just don't want to have a muddy mess on the far end of the lot because I can't get anything to grow there.

Mr. McGroarty: Yes. Well, that's true. That's true. So that's up to the Board. I mean, if that's... but that it would be helpful to have that specified in the Resolution.

Mr. Weiss: Mr. Hunkele just said that he would have the gravel removed when the construction is complete.

Mr. McGroarty: Okay.

Mr. Weiss: Fair enough, that gives us a time frame, at least. Was there anything else?

Mr. Buzak: Yes, I have one other issue. I'm a little bit...it's a little vague to me about these vehicles that are going to be retrofitted. Were we not addressing that issue because the testimony

appeared to be A. These are new vehicles and then shuffled in and out and to the extent that they have to remain on site outside, on gravel or otherwise was not a concern for the Board anymore? Or am I misstating that and we need to put something in there to confirm what we are going to allow.

Mr. Weiss: Mr. Dwyer?

Mr. Dwyer: Well, we are proposing that the area that's going to be used for this outdoor storage now for parking of vehicles based on testimony to be limited to, I would say, if not all brand new, certainly newer vehicles, there won't be any older vehicles. I don't know how you want to delineate that, but if the business is to retrofit new vehicles, we're not sure there's an issue.

Ms. Crawford: How about including and condition that there will be no maintenance of vehicles...on the outdoor area?

Mr. Dwyer: That was...sure that was part of the 2017 Resolution. So yes.

Mr. McGroarty: And there should be something I think about, and I mean, you can say all these wonderful things in a Resolution, but actually monitoring it, making sure it happens. But that there be some type of rotation of these vehicles that that they're not long term storage of these vehicles. And I don't quite know what the right...

Inaudible

Mr. Hunkele: Can we clarified the vehicles as vehicles that are currently in use and or vehicles that are going to be in future use?

Mr. McGroarty: In what respect?

Mr. Hunkele: In other words, they're not sitting there, Chuck, to be parted out. They're not... you know...they're brand new vehicle is for future use. They're going to be fitting it out. If the Sheriff's Department shows up with an existing vehicle that's currently on the road, they can store that there if need be. They're not going to take a 1990 ambulance and park it there for 6 months. That can't happen.

Mr. Vreeland: Maybe, maybe operational vehicles not to be used for salvage or parts or things like that.

Mr. Buzak: Can we put a time limit on it? And again, Chuck, I noticed that your comment about enforcement...

Inaudible

Mr. Buzak: ...no individual vehicles shall remain on the premises for some period of time... you know...for more than 10 day more than 14 days. Again, I recognize the difficulty of enforcing that. It's like going around and marking the vehicles and putting dates on them. You know... how? But what I'm what I'm afraid of is, we've listened to the testimony and...you know...the road to hell is paved with good intentions. And I don't want this to be the road to hell.

Mr. Hunkele: And, Mr. Buzak, just to that point, it's going to be tough to police that because when they have an order for 1,500 new police cruisers that are all explorers for NYPD, unless someone's going around and taking VIN numbers off of these vehicles, they have no road miles on them. They don't have license plates on them. So, it may look like one vehicle has been there, but in fact, that could be three transitions later in a two week period.

Mr. Buzak: I appreciate all of that and I think that's the concern. And I'm not sure how we how we police that and how we deal with that...with that issue.

Mr. Hunkele: No one vehicle would be on site for more than, I mean, I'm being very generous, but two week period.

Mr. McGroarty: Well, maybe a different way to look at it, maybe a different way to look at it is you're going to have...to Mike Vreeland's point earlier...when you get rid of the gravel that's in the buffer area, you delineate the space in which you're going to have outdoor storage in this case, outdoor parking of vehicles, that's all going to be delineated by fencing.

Mr. Hunkele: Right.

Mr. McGroarty: And it's not going past the boundary of proposed Lot 85...the remainder of lot 85.

Mr. Hunkele: Correct.

Mr. McGroarty: Okay. So, you're only going to have a finite amount of area to place these vehicles. That's maybe what the Board decides is that's what you get. And if it starts to become a junkyard, then there are provisions in the ordinance to cite a property owner for maintaining a junkyard. And I trust we would never get there, but you'll have a defined space. Your tenant will probably if business as active, as you describe, is not going to want to waste space with older vehicles would seem to me he's going to want to keep that area open to these vehicles, and maybe that's the best way to handle it because other than that, I don't know. We can't really be going through. It's not really practical for us to try and keep track of when a vehicle comes and goes.

Mr. Hunkele: I think that's fair, Chuck. Does that make sense to the Board, I mean?

Mr. Weiss: Yes.

Mr. Buzak: How is that? Is that going to be delineated? We're leave that to the applicant to delineate the area on Lot 85, where the storage will take place and we post...inaudible...drywells better in that....

Mr. McGroarty: Yes. If you look at Mr. Careaga's plan, that's what Mr. Pucci said earlier, they're going to bring that gravel area to be coterminous with the buffer area, and they can't go very far. Well, they can't go past the new boundary line. So there's got to be some delineation between the two properties, so I would suggest something fence or something. But...you know...the last thing the town wants to do is be riding out there...is that car over the line and that sort of thing. There should be...it's going to be a pretty confined area. And again, if this tenant needs the space, it's prime space. He's not going to want to waste it with ambulances that are 15 years old, it seems to me.

Mr. Buzak: So could we require that a fence be installed on the lot line where the existing delineated parking on Lot 85...proposed Lot 85...ends from that point along...

Mr. Hunkele: And along the buffer line?

Mr. Buzak: Yes. Along the common boundary line between the new Lot 85.02 and the new Lot 85...

Mr. Hunkele: And that fence will help serve dual purpose. It'll keep me out of the buffer area and also keep these cars in a specific area.

Mr. Buzak: Right. And likewise, can that be on three sides. In other words, at the at the common boundary line between the two new lot down along the wetlands buffer line and then parallel to the first line again to the beginning of the parking on the...inaudible.

Mr. Hunkele: Yes, yes, that's not a problem, Mr. Buzak. You have a three sided, three sided fence there. Yes. Corralling it in? Yes.

Mr. Buzak: Ok, maybe that's the best way to handle it.

Mr. McGroarty: And then in the back of the building, there'll be fire lanes marked, so there's not going to be able to use that for storage. So that will be reflected...that'll be reflected on the on the on the revised site plan, correct?

Mr. Weiss: Mr. Dwyer?

Mr. Dwyer: Yes.

Mr. Weiss: That will be...perfect. The answer was yes. Okay, so it sounds like we have a list of conditions. Ed has made a note of them. Cleaned them up. Susan, anything else that you might have, we might have missed?

Ms. Crawford: That's it. Thank you.

Mr. Weiss: Okay. So, with the conditions that we've discussed and Mr. Buzak has made note of for the Resolution, perhaps actually before I do that. Let me just go back before we do see if anybody from the public has any questions for any aspect of the application, and I see that there's no one from the public with any questions. I contend trying to see if there's any questions from the Planning Board. And now that I see none, I'll go back to what I was saying with the conditions noted by a host of us, someone from the Planning Board. I'll ask the please make a motion on this application.

Mr. Mania: Mr. Chairman, I'll make that motion. I'll make the motion to approve PB 21-16 Hunkele Properties with the conditions set forth.

Mr. Weiss: Thank you, Mr. Mania. Well said. Anybody would like to second that.

Mr. Ottavinia: I'll second it.

Mr. Weiss: That was Paul? Thank you very much. Any comments? Motion was made and seconded? Anybody else? I see nothing else, no comment made, Mary, roll call please.

Roll Call:	Brian Schaechter	Yes
	Catherine Natafalusy	Yes
	John Mania	Yes
	Dan Nelsen	Yes
	Paul Ottavinia	Yes
	John Batsch	Yes
	Joseph Ouimet	Yes
	Howie Weiss	Yes

Mr. Weiss: Gentlemen, I thank you all for your testimony this evening, thanks for your efficiency and cooperation with our professionals on our side and look forward to cleaning this up and moving forward and hope that there's tremendous amount of success from the new tenant and his new business venture.

Mr. Hunkele: Thank you, Mr. Chairman.

Mr. Weiss: My pleasure. I have nothing else on the agenda this evening unless anybody else would like to stay here a little bit longer and talk about something that's on their mind. And I see nobody waving their hands, so I will make a motion. I want to ask someone to make a motion to adjourn this meeting.

Mr. Mania: So moved.

Mr. Weiss: That was you, Mr. Mania. Thank you. Seconded by...

Mr. Batsch: John.

Mr. Weiss: John Batsch, thank you very much.

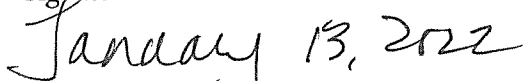
All in Favor: Aye.

Mr. Weiss: Good night. We will meet again in November. There is only 1 meeting in November. Then two in December. And then we will be going live again. Everybody enjoy the week. Enjoy whatever is happening until we see each other again. Have a good night.

Meeting Adjourned at 9:55 pm

Transcribed by: Mary Strain

  
Signature



Planning Board Meeting date approved 1/13/22