

**TOWNSHIP OF MOUNT OLIVE  
PLANNING BOARD**

Public Meeting  
Thursday, July 8, 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 July 8, 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. Scapicchio (arrived at 7:03), Mr. Schaechter, Mr. Forlenza, Ms. Mott, Ms. Natafalusy, Mr. Nelsen, Mr. Ottavinia, Mr. Batsch, Mr. Ouimet, Mr. Weiss  
Absent: Mr. Mania

**Board Professionals** in attendance were:

Present: Edward Buzak, Esq., Board Attorney  
Chuck McGroarty, PP/AICP, Board Planner  
Mary Strain, Board Secretary  
Excused: Susan Crawford, Esq. Board Attorney  
Michael Vreeland, PE, Board Engineer

Audio and video technology and platform.

**Committee Reports**

Mr. Weiss: Do we have any committee reports? Does anybody have anything to report upon? Catherine, anything from the Environmental Commission?

Ms. Natafalusy: Yes, we had an Environmental Commission meeting last night. The Musconetcong Watershed Association, Trout Unlimited, and New Jersey Highlands Coalition gave a presentation on their new...their Great Waters Project...keeping water safe. You know...that kind of stuff. I have the presentation if anybody's interested in seeing and hearing people talk for an hour, I will send it to you. But...you know...basically they're asking the commission to endorse it and recommend it to Council to adopt a Resolution to support the project. That's it.

Mr. Weiss: Okay. Kim, anything from Open Space?

Ms. Mott: Yes, there's...I'm sure you've seen some stuff on Facebook. They're doing...they adopt...they're doing adopt a trails. So we have some trail stewards leading the project, cleaning up some of the trails, just the normal maintenance on them, removing trees that fell and branches and et cetera. So that's a work in progress.

Mr. Weiss: Okay. John, Ordinance Committee?

Mr. Batsch: Nothing to report since our last meeting, Mr. Chair.

Mr. Weiss: And I guess we should note that we are...the Master Plan is meeting tomorrow...Master Plan Committee is meeting tomorrow. Brian, anything from the Board of Ed?

Mr. Schaechter: No, outside of the...they've started their summer projects. I don't believe they've sent us anything. Chuck, I don't know if you saw that. CMS is getting a redo. And we are looking at a project for a scoreboard at the stadium. So but...you know...it's summertime, that's when they do their construction.

Mr. Weiss: Okay, I guess what we expect is...do we expect to see the Board of Education, in front of the Planning Board by the fall?

Mr. Schaechter: It would have to be in retrospect because they've already started the work.

Mr. Scapicchio: Hello, everybody. Am I on board?

Mr. Weiss: Hello David. For the record, David is here.

Inaudible

Mr. Weiss: As far as other committees, I know that the Street Naming Committee had a bunch of activity this month. I guess I can speak for the committee that I reached out to Paul, and he got the Police Department involved. We spoke to the Fire Department and there's an application next week that's going to be in need of a street. And so the Street Naming Committee is going to have a recommendation at that time for the street that's going to be built. And so I thank Paul and everyone else that did some due diligence and came up with a name that seems to be very appropriate. So that's all done. Ready to go. And I guess we'll discuss that during the application next week. Anybody else have any committee meetings, reports?

## **Meeting Minutes**

### December 10, 2020 Public Meeting

Mr. Weiss: So let's move into meeting minutes. We have three meeting minutes that we need to approve. The first is December 10, 2020 Public Meeting. We've been sent copies of that. Would someone please move those minutes?

Mr. Schaechter: So moved.

Ms. Mott: Second.

Mr. Weiss: Thank you, Brian. Thank you, Kim.

Ms. Mott: Yes, I'll second that.

Mr. Weiss: Any comments, questions? Seeing none, roll call.

Roll Call:	David Scapicchio	Yes
	Brian Schaechter	Yes
	Ken Forlenza	Yes
	Kim Mott	Yes
	Catherine Natafalusy	Yes
	Dan Nelsen	Yes
	Paul Ottavinia	Yes
	Howie Weiss	Yes

#### July 17, 2021 Public Meeting

Mr. Weiss: The next set of minutes is June 17, 2021, same thing. We've had copies of those. Someone please move those minutes for June 17. David, thank you for moving them. I saw that note.

Mr. Scapicchio: You're welcome.

Mr. Batsch: Second.

Mr. Weiss: John, thank you very much. Anybody have any questions or concerns, I'm seeing none. Roll call, Mary.

Roll Call:	David Scapicchio	Yes
	Ken Forlenza	Yes
	Dan Nelsen	Yes
	Paul Ottavinia	Yes
	John Batsch	Yes
	Joseph Ouimet	Yes
	Howie Weiss	Yes

#### June 24, 2021 Special Public Meeting

Mr. Weiss: And finally, the June 24, 2021 Special Public Meeting minutes. Again we've had a copy of those, if anybody would please move this minutes.

Ms. Mott: I'll move the June 24, 2021 minutes.

Mr. Schaechter: Second

Mr. Weiss: Thank you, Kim. Second by Brian. Thank you very much. Do we have any questions, comments or concerns? Seeing none, roll call, Mary.

Roll Call:	David Scapicchio	Yes
	Brian Schaechter	Yes
	Kim Mott	Yes

Catherine Natafalusy	Yes
Paul Ottavina	Yes
John Batsch	Yes
Howie Weiss	Yes

Mr. Weiss: Yes, as far...we move into our development applications tonight. They're going to be the same...

Mr. Forlenza: Note to Mary. Mary, I noticed in the agenda you didn't have my name on the June 24<sup>th</sup>. But you called me out.

Ms. Natafalusy: Right.

Mr. Forlenza: Pretty sure I was there.

Ms. Natafalusy: It was 11th Hour, right?

Ms. Strain: I'm sorry. Yes, you were there, but you were...for the 11th Hour, you didn't vote because of the d variance.

Mr. Forlenza: Correct. I was at the meeting, but couldn't vote on this. So, you called me and I just said yes. So, I just wanted to clear the record.

Ms. Strain: Okay, thank you.

For the record, Mr. Forlenza was removed from roll call.

## **Development Applications**

### PB 21-13 PMZ Landscaping, 172 Smithtown Road, Block 900, Lot 49

Mr. Weiss: Thanks, Ken. As far as our development applications tonight, we're all going to come up with the same thing. The first one PB 21-13 PMZ Landscaping which was an appeal of a notice of violation at 172 Smithtown Road, Block 900, Lot 49, that application...that appeal has been withdrawn as of June 24, 2021. And I do believe that Chuck has had communication, has issued a cease and desist letter. And if there's anything you wanted to add or need to talk about or perhaps nothing, Chuck, I just want to make sure.

Mr. McGroarty: Nothing, Mr. Chairman. Thank you.

Mr. Weiss: Okay, so that application is withdrawn, the appeal is withdrawn. There's nothing more to be said about that.

### PB 21-11 Chmiel, Kazimierz, 24 Camp Pulaski Road, Block 400, Lot 5

Mr. Weiss: I move to the next one, which is PB 21-11, which is Kazimierz Chmiel for a bulk variance at 24 Camp Pulaski Road, Block 400, Lot 5. There were some problems with



engineering...that they needed a little bit more time. So they withdrew the application tonight and they want to be heard. Chuck, fill me in. Remind me when they wanted to be back on the agenda.

Mr. McGroarty: Well, they've asked for next month Mr. Chairman. And I don't know if they'll be ready...inaudible...I mean, it's a variance for free standing garage, but the problem is the driveway that would lead to the garage. Actually, the septic system...

Mr. Weiss: There you go. You were bouncing in and out there.

Mr. Scapicchio: Yes, I couldn't hear Chuck. He's like in and out.

Inaudible

Mr. Weiss: Okay, so we'll reschedule it. It will be rescheduled. Do we need to come up with an exact date for this process?

Mr. Buzak: Yes we do.

Mr. Weiss: Ed?

Mr. Buzak: Yes.

Mr. Weiss: Okay, Mary, let's take the pressure of Chuck. Let's look at that schedule...sometime in August. What are you proposing?

Ms. Strain: August 12<sup>th</sup> we have one application. Nothing August 19<sup>th</sup>.

Mr. McGroarty: I would suggest the 12<sup>th</sup>.

Mr. Weiss: There it is. This meeting will be carried until August 12<sup>th</sup>. There will be no further notice. The hearing will be held via Zoom, 7:00 pm on August 12<sup>th</sup>, right here, no further notice. Let me move on.

PB 19-25 Hunkele Equities, 160 Gold Mine Road, Block 4400, Lot 85.02

PB 19-29 Hunkele Equities, 160 Gold Mine Road, Block 4400, Lot 85

PB 21-04 Hunkele Equities, 160 Gold Mine Road, Block 4400, Lot 85.02

Mr. Weiss: We have three the applications for Hunkele. PB 19-25, PB 19-29, PB 21-04 all three of those applications are not going to be heard tonight. I know the applicant has asked for a September hearing date. I want to go on the record, Chuck. I know this might be a surprise. I want to go on the record and ask that we dismiss these applications without prejudice. I just think we keep on carrying them. They keep on disappointing us. We keep on filling up our schedule, having us all come out. And every time we do it, they're not here. So I think I would like to dismiss this without prejudice. Tell me if I'm wrong. Tell me if that causes a problem. I know you gave them an option to resubmit. He explained why he didn't want to do that. And I'm not interested in that response. Can we do such, Ed?

Mr. Buzak: And I yet I just wanted to hear what Chuck had to say before I respond.

Mr. Weiss: Okay.

Mr. McGroarty: Tell me tell me if I'm breaking up. I don't know.

Mr. Buzak: Yes, you are. But we can probably hear you.

Mr. McGroarty: I don't know the reason...

Mr. Scapicchio: I can't hear Chuck.

Mr. Weiss: There you go. That's a little better.

Mr. McGroarty: Dave is saying he can't hear me.

Mr. Weiss: I think Chuck...I don't...let's not interrupt Chuck, because I think it's coming in and out, we all have the same issue. I think keep on trying, Chuck, and we'll try to piece it together.

Mr. McGroarty: All right. Inaudible. I don't know the reason. I issued a report and a couple of days later, they were they said they were unhappy with the site plan as I was unhappy with the site plan and they asked for more time. But this has been going on for quite some time now. And this is as you know, this is the use variance application that Amazon is looking for to park their vans on the site.

Mr. Buzak: Mr. Chairman, I was actually thinking the same thing that you were thinking. It would not be inappropriate given the number of times this thing has occurred and the fact that the notice is probably...you know...certainly, I think, seven months old. I think that this application was on last year. But...you know...we carry it. To somebody who is interested, they are coming to all these meeting assuming somebody is there or they just lose interest and that's really unfair to the public who should be getting notice of the application. So I...I do think that a dismissal without prejudice is appropriate. I would I would suggest to the Board and I don't know what the concern was that the applicant raised and...inaudible...with them. But I would suggest that the Board consider, allowing the applicant to refile the application without any new fees, assuming the escrows are up to date obviously. If the application is filed within the next so many months, three months, six months, whatever, and after that, they just happen to refile...repay the fee. I don't know if we have a "refiling fee" so while that may sort of mute the issue, but there would also be new notice then, whenever it's scheduled they resubmit it.

Mr. Weiss: So Ed, my only concern is that this application is to support the Amazon property with a parking area. And we remember all that the 4<sup>th</sup> Quarter poses much greater pressure on Amazon. And I think a three month...it's now July brings us to October. If they don't have an application in front of us by October then I think are our offer to waive filing fees, should go out the window. So I don't have a problem. It's probably more administrative than anything else. But I would say if we're going to give them that courtesy, let's put a three month to October 8<sup>th</sup>...October 1<sup>st</sup>. I don't know if it matters, but I don't want to leave that offer out there. I want this application heard. And if for any reason it's not done, Amazon's got issues that are going...it's going to hurt them. So I don't know if we have to agree to that. But if we're going to waive the fee, let's do it only for three months.

Mr. Buzak: I think, Mr. Chairman, given what you've just said, that really...all this really does is eliminated from our agenda for now and requires an applicant to re-notice, which I think we at some point we have to do anyway. So I don't think there's any major prejudice to the applicant.

Mr. Weiss: Okay.

Mr. Buzak: Thank you.

Mr. Weiss: Okay, so let's do that. So do we need to make a motion?

Mr. Buzak: Yes, you do.

Mr. Weiss: Okay, so someone...unless there's any kind of opinion from the Planning Board as to not do that, I don't see any objection. And so unless I do, someone please make a motion that we dismiss all three of these applications, should we list them one, Ed or should we basically call them the 160 Gold Mine Road, Block 4400, Lot 85 and then there's 85.02 for the Hunkele Equities, LLC applications 19-25, 19-29, and 21-04.

Mr. Buzak: That was well enough stated.

Mr. Weiss: So we'll lump them all together. Someone please make that motion.

Mr. Batsch: I make that motion, Mr. Chair.

Mr. Ottavina: Second.

Mr. Weiss: So this application is dismissed without prejudice made by John, seconded by Paul. Any comments, conversations, discussions? I don't see any. Mary, roll call please.

Roll Call:	David Scapicchio	Yes
	Brian Schaechter	Yes
	Ken Forlenza	Yes
	Kim Mott	Yes
	Catherine Natafalusy	Yes
	Dan Nelsen	Yes
	Paul Ottavina	Yes
	John Batsch	Yes
	Howie Weiss	Yes

Mr. Buzak: Mr. Chairman, I was remiss...inaudible...hearing obviously, I don't know if we have anybody from there?

Mr. McGroarty: No, we do not.

Mr. Buzak: Okay, I was going to say too late to have them...if they were here to comment but they are not here so it doesn't matter.

Mr. Weiss: I kind of took a peek at that earlier. Ed, so I was kind of aware there was nobody from the public on that on that particular application. But anyway thank you for correcting me even after the fact. I have no other business on the agenda and I have no reason not to ask for a motion to adjourn the hearing. We will be back on next next Thursday, July 15, 7:00 pm right here. So if there's any objection otherwise, would someone please move this meeting to adjournment?

Mr. Schaechter: So moved.

Mr. Scapicchio: Second.

Mr. Weiss: Thank you, Brian. Seconded by David. All in favor.

All In Favor: Aye.

Meeting Adjourned at 7:17 pm

Transcribed by: Mary Strain

  
Signature

  
Planning Board Meeting date approved