

**TOWNSHIP OF MOUNT OLIVE  
PLANNING BOARD**

Public Meeting  
Thursday, May 13, 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 May 13, 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: Edward Buzak, Esq., Board Attorney  
Susan Crawford, Esq. Board Attorney  
Jeffrey Keller, Ph. D., Environmental Consultant  
Walter Lublanecki, PE, Traffic Engineering Consultant  
Chuck McGroarty, PP/AICP, Board Planner  
Mary Strain, Board Secretary  
Mike Vreeland, Planning Board Engineer  
Joseph Vuich, PE, Conflict Engineer

Excused:

Audio and video technology and platform.

**Committee Reports**

Mr. Weiss: I don't know if there are any committee reports that we need to report on.  
Catherine, anything from environmental?

Ms. Natafalusy: I wasn't able to attend the meeting last week. So... I don't know if Cathy  
sent Mary or Chuck anything.

Mr. McGroarty: No.

Mr. Weiss: Okay. John, anything on Ordinance Committee?

Mr. Batsch: Not too much, Chair.

Mr. Weiss: Okay. I know Kim is Open Space. Brian, anything from Board of Ed?

Mr. Schaechter: No, but they will be coming forward with their capital plan soon, because they need it by the end of the year.

Mr. Weiss: Okay. John, anything from Council?

Mr. Mania: No. (7:02-3)

Mr. Weiss: All right. Thank you. So, let's get right into our agenda.

## Meeting Minutes

Mr. Weiss: The first item we have here is the meeting minutes of November 19<sup>th</sup>. Public meeting November 19<sup>th</sup>. Someone, please move those.

Mr. Schaechter: So, moved, Mr. Chairman.

Mr. Mania: Second.

Mr. Weiss: Thank you, Brian. John Mania, thank you for second. Any comments? Questions? Seeing none, roll call, Mary?

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

Mr. McGroarty: Joe Vuich is here. (Joe arrived at 7:04 for the Record)

Inaudible

Mr. Weiss: Welcome Joe. Thank you for that, for the Record.

## Ordinance Review

### Ordinance # 11-2021

Mr. Weiss: Next item up is Ordinance # 11-2021, a review. This is a review ordinance amending and supplementing chapter 550, Land Use, Article V, Design Guidelines and Technical Standards in Sections 550-66, Stormwater Runoff and 550-73, Surface Water Management of the Township Code. Chuck, do you want to bring us up to speed? What are we doing with this?

Mr. McGroarty: Actually Mr. Chairman, I think Mike Vreeland...

Mr. Vreeland: I'm trying to keep it brief. So, the DEP updated their stormwater regulations last year and the Municipality has a stormwater permit. As a result of the update, each Municipality with a permit was required to update their stormwater ordinances to be in compliance with the new regulation. So, what we did is, the DEP provided the model ordinance, which we used as a boiler plate. We also took the opportunity to take a look at section 550-66, that had some outdated standards that I think we'll probably put in play before the storm regulations came into place. We looked at section 550-73, that referenced the old regulations and also had a requirement in there for single family houses. So, we kept that requirement for single family houses and used the balance of the DEP's boiler plate information to put together the draft ordinance.

Mr. Weiss: Okay, thanks Mike. So, is there an action required by the Planning Board?

Mr. McGroarty: Only to find that the ordinance is not inconsistent with the Master Plan, and also if the Board has recommendations for Council.

Mr. Weiss: Okay. We've done this before. We're just trying to...we are going to send a recommendation back, that this ordinance is not inconsistent with our Master Plan? Current Zoning?

Mr. Buzak: That's the plan.

Mr. McGroarty: I would think so, yes.

Mr. Weiss: So, let's keep it simple. Would someone please make a motion, that we are going to respond back that this ordinance is not inconsistent.

Mr. Nelsen: I'll make that motion.

Mr. Weiss: Thank you, Dan.

Mr. Schaechter: I'll second it.

Mr. Weiss: Thank you, Brian. Anybody have any comments? I see none. Roll call on this.

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

## Development Applications

### PB 21-12, Mount Olive Solar Farm, 149 Gold Mine Road, Block 4100 Lot 10

Mr. Weiss: Thank you, everybody. Let's move right into our development applications for tonight. The first one is PB 21-12, Mount Olive Solar Farm, here for an amended preliminary and final site plan with a variance for their property located at 149 Gold Mine Road, Block 4100 Lot 10, as we bring up Mr. Bellin who is the attorney for the applicant. Just so we remind each other that Joe Vuich is here representing the Municipality. As you recall Mike Vreeland had a conflict, so, we are going to call Joe as our conflict engineer. I know it sounds like a negative connotation, but Joe should bring us no conflict. It was a conflict with Mr. Vreeland and therefore Joe has been stepping up to help us in this application. Welcome back, Joe. Nice to have you. Mark, I've run out of things to say, so...

Inaudible

Mr. Weiss: Mr. Bellin, is ready to join us. Mark, welcome back. Nice to see you. Without further waiting, let's get this started and I'll turn it over to you. Explain why you are here and what you need tonight.

Mr. Bellin: Thank you very much and good evening, everybody. We're back. We have our site plan approval, preliminary and final. What happened is, we did not ask for any variances at our public hearing previously. And after the hearing, our engineers received some information from our geotech engineers that indicated that we would need some help in terms of landscape plan. We need trees that were planted along Gold Mine Road. It turns out, we can't plant two rows because the ...inaudible... of the landfill extends to close to the road. So, it's physically impossible for us to actually accomplish that. We thought we might have had, let's say...inaudible waiver or variance, but Ed was asked that very question, non-direct, and he told the Board, we have plenty of room because at the time, he thought he had plenty of room. Ed is with us tonight and he will walk you through the plan. I also have Barbara Ehlen, who is our Planner, that can speak to the variances. For the hardship variance we would install the second row of plantings, if we could. It's not like we don't want to. So, if we could bring Ed Caballero up, from Colliers, he did the original engineering and design. He is our civil engineer on the project. He can describe the situation. I think he has the plan. He can show it to you, and we can get through this.

Inaudible

Mr. Buzak: Excuse me, before we...inaudible...there was an issue regarding...inaudible...and we exchanged some details. I had asked you to provide a signed copy of the waiver of notice. I did not receive a signed copy. So, I don't know if you submitted it, if you have it and I just didn't get it? Can you advise the Board on that, please?

Mr. Bellin: Yes, I did get it. I got it around mid-day, and I sent it to Mary. I sent it to Chuck, and I thought I sent it to you. We do have it along with a cover letter from them and their general council gave it to us. Mary, did you get it?

Ms. Strain: Yes, I did. I have it here.

Mr. Buzak: Okay, Mary, can you forward that to me? That's fine. I did have some troubles getting e-mails from Chuck, today, so perhaps that was an issue. I don't know.

Mr. Weiss: Let me just clarify because I know I was involved in this e-mail chain. Just for the members of the Planning Board, there was a slight question about the notice. The notice was complete. There was a duplication that we found. That's the question that Ed had asked the attorney to go through that and review it and submit a confirmation. Mary confirmed that we got that, so it sounds like Ed is satisfied with that and we don't have any kind of notice issue any longer. So, that was an issue we wanted to discuss and Ed, you are satisfied, for the Record, that we can move forward based on Mr. Bellin's submission.

Mr. Buzak: Based upon his representation. I haven't seen it but I have no reason to doubt that his representations are inaccurate.

Mr. Weiss: Perfect.

Mr. McGroarty: Mr. Chairman, I just want to note, for the Record, this is actually a new application. It's an amended preliminary and final site plan with the variance for the request to deviate from buffer requirements. I don't know if, that's up to Mr. Buzak, does he want to qualify the engineer again? Or at least make sure that he is under Oath again?

Mr. Buzak: Well, we need to swear him in. This is as you said Mr. McGroarty, a new application. So, I don't...can you put on your video Mr. Caballero?

Mr. Caballero: I'm having difficulties so hold on here. Here I go. Good evening.

Mr. Weiss: Good evening, Ed. We are going to swear you in. Mr. Buzak will swear you in.

Mr. Caballero was sworn in for the Record.

Mr. Buzak: Can you please state your name and business address for the Record, spelling your last name?

Mr. Caballero: Edwin Caballero. C A B A L L E R O. I'm with Colliers Engineering and Design. 53 Frontage Road, Hampton, New Jersey.

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

Mr. Bellin: Thank you very much. Ed, did you want him to go through his qualifications? Requalify him as an expert?

Mr. Weiss: We can simplify that, I think. Mr. Caballero was here, before, in front of us?

Mr. Caballero: Yes, I was.

Mr. Weiss: So, maybe we can certainly determine that Mr. Caballero is the expert engineer. Let's find out that he was the one that prepared the reports and that you were actively involved in the application?

Mr. Caballero: I was the one who prepared the reports and I also signed the engineering drawings.

Mr. Buzak: And your licenses are still, now, and in full validity?

Mr. Caballero: Yes, they are.

Mr. Buzak: Thank you, sir.

Mr. Weiss: Does anybody have any questions for Mr. Caballero? I don't see any. So, Mr. Caballero we will welcome you, again, as the expert engineer in this application. Welcome back and Mark, I'll turn it back over to you.

Mr. Bellin: Ed? Can you give us a general overview of our application for the Board's benefit?

Mr. Caballero: Sure. I will put up a colored rendering. The exhibit is entitled Mount Olive Solar Farm Aerial Exhibit. Sheet 1 of 1. It was prepared by Maser Consulting back in May 13, 2021.

Mr. Buzak: Let's mark this exhibit, Exhibit A-1, for the Record.

Mr. Weiss: I think the only thing that we need is the date. I can't see the date of this exhibit.

Mr. Caballero: The date is in the lower left-hand corner. It's May the 13<sup>th</sup> of 2021.

Mr. Weiss: I see it now. Thank you.

Mr. Caballero: Bring the Board some reference. The property is Lot 10, Block 4100, Gold Mine Road. It's a Municipal roadway. The property is bound to the north by existing woodlands. To the east, by the Walmart retail center. To the south, by Gold Mine Road. To the west by more existing woodlands. Basically, on the exhibit, the site boundary is in purple. It goes around the outside perimeter of the site here. Wetlands and wetland buffers are in yellow, following my hand here. The existing gravel drives surround the perimeter of the landfill area. The solar panels are the dark blue areas in the center of the exhibit. We've added the red area, this is the limit of the land fill liner underneath the land fill area. As Mr. Bellin said, we are here for an amended preliminary and final site plan. The site plan drawings are dated April 30, 2020, revised through April 7, 2021. We've had very minor changed to the site plan itself. The proposed development has been reduced from 28.7 megawatts DC to 25.7 megawatts DC. We have reduced the number of panels from 61,128 to 57,105. We basically lost 4,023 panels. We've also basically, on the previous application we had an access drive crossing from east to west and approximately at that location we have also removed that. That was, other than the landscaping, that is all the changes that were done to the site plan drawings. There were no changes to the site access, grading, stormwater, utility, or lighting. The only other changes, as I said, were to the site plan drawings themselves. We had, on October

15, 2020, I testified before the Board that I was able to provide a double row of evergreen trees along the entire frontage of Gold Mine Road. Since that time, we had received a geophysical survey and that was on December 28, 2020. That survey revealed that the landfill liner comes within approximately 10 feet of the existing fence line along Gold Mine Road. We were advised by our LSRP for the project, that we had to remove 1 row of evergreens because the evergreens would impact the liner. We had spoken to Chuck, and we explained this issue to him early in the process. I had sent him a revised plan where we tried to meet the ordinance requirement by providing 1 row of evergreen trees behind their fence line and the second row of evergreen trees in front of the fence line. While that technically met the ordinance requirements, the trees on the outside of the fence line were in the right of way for Gold Mine Road. The existing vegetation on the outside of the fence would have had to be removed in order to install our landscaping and the evergreen trees on the outside of the fence would have impacted the future widening of Gold Mine Road. So, we basically dropped that site plan and came forward with the site plan before you now. We have a double row...we revised the plan to have a double row of evergreen trees and it transitions to, in the area where the landfill liner was close to the fence line, we came down to a single row of evergreen trees. Once the landfill started deviating and going away from the fence line, we went back to a double row of evergreen trees along the whole frontage of Gold Mine Road. In addition, we have a note underneath, this was a recommendation from Chuck, the Planner, that we replace the existing fence line, which is a chain link fence along the frontage of Gold Mine Road, with a solid vinyl fence for the full length of Gold Mine Road. That's basically to add some extra screening of the landfill and the solar project. We have proposed Green Giant Arborvitae in the area again, in the area where we have single row of evergreens. This is done because the ball of the tree is smaller and it would not encroach into the liner, into the remnants of the liner. In the remaining areas, are a combination of White Pine and Douglas Firs. That is supplemented by the existing vegetation that basically runs along Gold Mine Road, itself. We have that same situation along the easterly property line where the liner goes within 10-15 feet of the easterly property line. So, we have that same situation where we have a double row in that area too. Then drop down as necessary so as not to impact the liner. As Mr. Bellin said, we have 1 variance. It's from Ordinance section 19-2019, section 3, a small buffer 1 and that's a minimum landscape buffer within the 50 foot setback of gold Mine Road. That's, as we previously said, we have held a double row of evergreen trees all along Gold Mine Road until we come close to the existing liner where we reduce down to a single row. With regard to permits, we have obtained all our permits except the DEP's solid waste department permit. That one is pending. We had received 2 review letters. The first one was from the Township Engineer and was a memorandum dated May 3, 2021. We are going to incorporate his recommendation to put in an 8 foot high solid vinyl fence along Gold Mine Road. We would adhere to all the other comments that he has.

Mr. McGroarty: Is that my letter? Or is...

Mr. Caballero: Yes. Yes, Chuck. That's your letter.

Mr. Weiss: You referred to it as the engineer. That's why I was concerned.

Mr. Caballero: I'm sorry.

Inaudible

Mr. Weiss: The Planner's report. That's okay.

Mr. Caballero: All right. Sorry about that, again. The second review letter was from Habitat by Design. That's dated May 6<sup>th</sup>. Again, we have no objections, and we will revise the drawings and report to adhere to his comments. That's basically the end of my testimony.

Mr. Weiss: Let me jump in. One of the comments on the Planner's report was in his section 3.2. Talk about the visual impact from this noncompliance of the double row. I don't know if you talked to us about what that will look like. If there will be any negative impact because of the fact that there is not a double row of trees. Tell us a little bit about what we'll see and what the difference is.

Mr. Caballero: Okay. Very good. There is good vegetation within the right of way of Gold Mine Road, along the fence line. It opens up when you get to the gates. Then there is an area that was...there is an asphalt drop off area and you can see the wood line here, in white. That's an area that is kind of open. Right now you can go in and look in and see the solar panels themselves. But what happens is, once you put the 8 foot high vinyl fence in, your line of sight will be adjusted and goes above the fence line, so you'll have minimal sight on the solar site itself. Then as you go in a westerly direction, in actuality the roadway itself starts to drop off in elevation as compared to where the fence line is. There starts a 3 foot high berm. In here it transitions as you are going west into a 6 foot high berm. Then comes back to a 3 foot high berm before you get to the end or the limits. So, the rest of the site is screened from the view of the solar. Like I said, there is just that one location, there, that once...I think...once you put the solid fence line in, your line of sight would be projected above the fence line and you would not see the panels themselves.

Mr. Weiss: You're projecting an 8 foot fence? Not a 6 foot fence?

Mr. Caballero: Well, we're replacing in kind. If you recall from the previous hearing, there is an existing 8 foot fence completely around the site. So, we are maintaining the same height that is currently there. We had checked with the DEP, or we confirmed, that they have no issue changing from a chain link fence to a solid vinyl fence along Gold Mine Road.

Mr. Weiss: Chuck, is that a problem, to put an 8 foot fence? Do we need a waiver?

Mr. McGroarty: The applicant secured a variance recognizing the existence of the 8 foot...inaudible...That the previous...inaudible.

Mr. Weiss: Okay, so a little broken up, but he did say that the applicant received a variance in the previous application for an 8 foot fence. It was just a little hard to hear, Chuck. For some reason you're cutting out. Want to confirm.

Mr. McGroarty: Okay.

Mr. Buzak: Mr. Chairman, on that same point, can I just clarify...is the vinyl fence in lieu of the chain link fence with slats, being installed only along Gold Mine Road? Then the balance of the fencing will still be chain link fencing or chain link fencing with slats?

Mr. Caballero: Chuck had put a comment in his letter...inaudible...from the slats was a good idea. So, along Gold Mine Road, yes. The whole frontage would be solid vinyl fence, and then the remainder would stay as a chain link fence and we remove the slats.



Mr. Buzak: Okay. Thank you.

Mr. Weiss: All right. Does anybody else from the Planning Board have any questions?

Mr. Batsch: Mr. Chair?

Mr. Weiss: Yes John, go ahead.

Mr. Batsch: What is the color of the vinyl fence?

Mr. Caballero: We didn't choose a color. We figured we'd talk to the Planner and mutually agree on an earth tone color.

Mr. Batsch: Thank you.

Inaudible

Mr. Weiss: I'd generally accept an earth tone color, whether it's a brown or beige, I suppose.

Mr. Scapicchio: Mr. Chairman, my question is for Chuck.

Mr. Weiss: Go ahead, Brian.

Mr. Scapicchio: Chuck, in all the other solar fields, we have, in Town, have we required anybody else to put up a vinyl fence? Was that ever a suggestion?

Mr. McGroarty: Well, this...can you hear me? This is...again, it was part of the ordinance as you...inaudible...there are really no other solar farms. Inaudible... When this ordinance was created, this was essentially the one standard that we required, in the ordinance. That a double row of evergreens be along Gold Mine Road. For obvious...for the reasons that we heard tonight, that's not practical though, where the liner...inaudible...though the idea was...and the ordinance does actually suggest, originally, not as a substitution for the double row but to enhance the buffer to also allow for fencing and berms, etc. But since there is a fence there already, that was a suggestion, the vinyl fence, be installed to help where the double row is not possible.

Mr. Scapicchio: I only asked the question because I know up by Tinc Road School, we've got a solar field. You've got some stuff by Toys-R-Us. I don't think any of them have a vinyl fence around it. It's always been...and there...I mean the one by Tinc is backed up against residential area...

Mr. McGroarty: And by the way, I've gotten a number of complaints over the years about that fence, about those panels, from the residents in that area.

Mr. Schaechter: Yes. I mean, it's the same ordinance. The ordinance hasn't changed.

Mr. McGroarty: No. It's not the same ordinance. Those panels...that was done by way of a site plan. Board of Ed brought that in, as you probably know. This is different. This is the first

time we've actually had, in the ordinance, a provision for a solar farm. That was done through the redevelopment process.

Mr. Schaechter:           Okay.

Mr. Nelsen:               Mr. Chairman...inaudible.

Mr. Weiss:                Go ahead, Dan. Before you speak Dan, Ed can you bring down your screen so I can see the group? Thanks Ed.

Mr. Nelsen:               Regarding the fencing, is the purpose of the fencing and I imagine this is to the engineer. Is the purpose of the fencing strictly screening or is it a security issue and if so, is the vinyl fencing as secure as the chain link? Or more so?

Mr. Caballero:           It is not a security issue. It was strictly a screening issue. The owner of the property will maintain and do the proper security requirements on the solar farm as they are being done today.

Mr. Nelsen:               Thank you.

Mr. Weiss:                Does anybody else have any questions for the engineer? I don't see any. Let me see if we have any questions from the public.

Mr. McGroarty:           I don't see any hands.

Mr. Weiss:                Nor do I. Okay. So let me close it to the public. Ed, thank you very much for your testimony. Mark, do you have anything else that you want to bring up tonight?

Mr. Bellin:               We do have our planner that would put the usual statutory testimony on the Record, for the variance sought.

Mr. Weiss:                Perfect. And is that Barbara?

Mr. Bellin:               Yes. Barbara Ehlen, yes.

Mr. Weiss:                So, we'll do the same.

Ms. Ehlen:                Good Evening.

Mr. Bellin:               Can you swear Barbara in?

Mr. Buzak:                Yes.

Barbara Ehlen was sworn in, for the Record.

Mr. Buzak:                Can you please state your name and business address, for the Record, spelling your last name?

Ms. Ehlen: Barbara Ehlen. My last name is spelled E H L E N. It's Beacon Planning. They are located at 315 Route 34, Suite 129 in Colts Neck, New Jersey.

Mr. Buzak: Thank you. Mr. Bellin?

Mr. Bellin: Thank you. Barbara, could you give the Board your qualifications and credentials.

Ms. Ehlen: Yes. I am a licensed Professional Planner in the State of New Jersey, and an AICP. I have worked at Beacon Planning since 2008 and worked my way up to Project Manager. I have been accepted throughout numerous communities in New Jersey, including Mount Olive. No wait, I'm sorry. I didn't testify last time. I got confused. But, I have been qualified by communities such as Cranford, Carteret, Red Bank, Long Branch, Ocean Township, throughout the State.

Mr. Bellin: Does the Board accept Barbara's credentials as an expert in this field?

Mr. Weiss: Perfect. Do we have any questions for Barbara, here this evening?

Mr. Buzak: Your licenses are all in effect, at this time?

Ms. Ehlen: Yes.

Mr. Buzak: Thank you.

Ms. Ehlen: My licenses are current.

Mr. Weiss: Okay. Well seeing no questions, we'll certainly welcome you in as tonight's expert planner for this application and welcome to Mount Olive.

Ms. Ehlen: Thank you.

Mr. Bellin: Barbara, did you review this application on our behalf?

Ms. Ehlen: Yes, I did.

Mr. Bellin: Can you give the Board the benefit of your observations...inaudible...to the variance relief sought?

Ms. Ehlen: This would clearly be a C-1 hardship variance request and that the existing conditions of the land are impacting our ability to conform to the ordinance. And to be honest when the ordinance was created, this is a zone specific to this property as it was a landfill, and at the time of the creation it couldn't have anticipated that the...inaudible...came within so close to the property line. So the applicant has put forth measures to help mitigate this deviation, including the 8 foot tall vinyl fencing, and supplementing the landscaping where possible with Arborvitae. When we look at these variances, we look to see whether the benefits outweigh the negatives. In this instance we are providing an inherently beneficial use that complies with all setback standards. So it's not that the proposed use is triggering any variances, it's just the natural status of the parcel itself. With respect to substantial detriment, I don't see any, as again we are mitigating the impacts of not

being able to provide the two rows of trees. Obviously, this deviation isn't going to cause any...inaudible...noise or trash or stormwater. So, it is my professional opinion that the benefits outweigh the negatives in this instance.

Mr. Bellin: That would conclude her testimony and if the Board has any questions for Barbara, please do.

Mr. Weiss: Chuck, do you have any questions?

Mr. McGroarty: I don't have questions, but I think I heard the expert say that this is an inherently beneficial use. That's not my understanding of the...and that's not a D variance in the first place...

Ms. Ehlen: No, I was just...the positives, you know. The positives that it is for. The use.

Mr. McGroarty: Right.

Mr. Weiss: Okay. Does anybody on the Planning Board have any questions for Ms. Ehlen? I don't see anybody have any questions from the Planning Board. Let's check the public. If anybody from the public...? I'm not seeing anybody from the public. So let me close it to the public. Barbara, thank you for your time, this evening.

Ms. Ehlen: Thank you.

Mr. Weiss: Appreciate the briefness of your testimony. Mark, back over to you.

Mr. Bellin: Yes. That would conclude our application. We respectfully ask the Board to grant us the amended preliminary and final site plan and variance relief, for this application.

Mr. Weiss: Okay. What we have here is a fairly simple application. A variance request due to the hardship that exists because of the topography and existing condition of the land. We heard from the planner. We heard from the engineer. Does anybody have any questions or comments, in general? Chuck, go ahead.

Mr. McGroarty: One, Mr. Chairman, I forgot to mention this...well, 2 actually. One, Mr. Caballero said he'll see no problem complying with my other comments, they'll just have to do plan notes and so on. I just wanted to make sure of that. Secondly, I'll ask if the applicant has any objection that a condition be imposed, assuming the Board approves this, that the trees, dead or dying trees, in the future, will be replaced by the whoever owns the landfill and operates this, former landfill, operates the Solar Farm. So, that over time should trees be damaged or die, for whatever reason, that they be replaced.

Mr. Bellin: We're fine with that. We would accept that condition.

Mr. Weiss: Okay. Thank you, Chuck. Does anybody else have anything? Before I open it to the Planning Board for a motion, I'm just going to open it to the public, 1 more time. If there are any comments or questions about any aspect of the application, tonight? I'm not seeing any, so

I'm going to close it to the public, again. Let me look to see if we can have a motion be made to this application with the understanding that there is a condition, as Chuck just brought up, that the trees will be maintained by the operator/ owner of the solar farm, to keep the maintenance and make sure that trees dead or damaged or dying, are replaced. And the applicant has agreed to such a condition. With that being said, would somebody please move this application?

Inaudible

Mr. Buzak: Mr. Chairman, the other conditions were that they would comply with the Habitat report and also comply with Mr. McGroarty's report.

Mr. Weiss: Fair enough and I guess we should say all the other boiler plate conditions...

Mr. Buzak: Absolutely.

Mr. Weiss: Perfect. Okay, so...

Mr. Nelsen: I'll make that motion, Howie.

Mr. Weiss: Thank you, Dan.

Mr. Mania: I'll second it.

Mr. Weiss: Thank you, John.

Mr. Nelsen: With all conditions.

Mr. Weiss: Thank you, Dan. Thank you, John Mania. I appreciate that. Any conversations or comments from the Planning Board? I see none. Therefore, Mary, let's move this 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: With that, ladies and gentlemen, thank you for your time this evening. I appreciate the efficiency of your application tonight. Joe, thank you for joining us tonight. If we needed you, I appreciate it. Joe, you are excused for the rest of the evening. We'll get ready for the next application, which I do believe is a use variance. So, that means that John you won't be sitting on this.

Mr. Mania: Howie, I have to step down.

Mr. Weiss: Right. So, you'll be stepping down. Whether you stay from a member of the public or not is your choice, but you are excused from this next application. Which will be the last one for the evening, so... John, we'll see you next week.

Mr. Mania: Okay. Thank you, Howie.

PB 20-22, Budd Lake Hotel, LLC, 110 Route 46, Block 102 Lots 9 & 10

Mr. Weiss: That being said, let me introduce the next application. Looks like Mike Vreeland is back. Welcome back, Mike. Application PB-20-22, Budd Lake Hotel, LLC, for preliminary site plan with a D-4 variance. Property located at 110 Route 46, Block 102, Lots 9 and 10. We certainly have Mr. Selvaggi here, representing the applicant.

Mr. McGroarty: I don't see Mr. Selvaggi, though.

Mr. Weiss: We are a little bit early too. Mr. Selvaggi asked, and I told him a little bit closer to 8:00. Let's...we're moving nicely with the schedule, if Mr. Selvaggi is not here yet, and I certainly won't hold that against him because we are just a little bit ahead of schedule. Let's take a 10-minute break.

Inaudible

Mr. Weiss: Then we'll get started. If that's okay with everybody.

Inaudible

Mr. Weiss: We'll be back in 10 minutes. It's 7:45, let's give us, 7:55.

Inaudible

Mr. Selvaggi: Good evening, guys. I apologize for the...I was in Mendham, so they just finished.

Mr. Weiss: I mentioned earlier that we chatted about the schedule, and I figured 8:15 at the earliest, so, you get the pass tonight, Mr. Selvaggi. I already introduced the application. We're here for PB 20-22, Budd Lake Hotel. Let me turn it over to you, Mike.

Mr. Selvaggi: Thank you very much, Mr. Chairman and all the other Board members. Good evening. Michael Selvaggi from Lavery, Selvaggi, Abromitis & Cohen, on behalf of the Budd Lake Hotel, LLC. This is an application for lots 9 and 10, in block 102. Most of you probably know it by the current use as the Budd Lake Motel and Kennedy's Pub. The applicant owns both of those lots, currently. Obviously, Kennedy's is no longer operating. The Hotel is. The plan calls for the demolition of the structures on both lots. The merging of those lots and then the construction of a self-storage facility as permitted in your C-1 zone district. The proposal as you'll hear from our engineer, Mr. Glasson, satisfies most of your bulk standards for the C-1 zone, including building height, coverage and those things. However, we don't satisfy the FAR requirement that is included in your C-1 zone. Which is a .4. We are at .75. So, It's going to be incumbent on us to show that

under the D-4 use variance standards, how this project can be accommodated on the property. For that, we'll have Jessica Caldwell as our planner. What I'd like to do is, first have Mr. Glasson take us through existing conditions and then go through the design. While doing that, we'll endeavor to address the comments, chiefly in Mike Vreeland's report. Mike had issued a report on May 10<sup>th</sup> and we'll go through that. We'll also address Mr. Lublanecki's comments in his May 7<sup>th</sup> report as well. So, Mr. Glasson, if he can be sworn, Mr. Chairman, and we'll start with his testimony.

Mr. Weiss: Good evening, Jim. Welcome back. I'm going to have Ed swear you in.

Mr. Glasson was sworn in, for the Record.

Mr. Buzak: Please state your name and business address, for the Record, spelling your last name.

Mr. Glasson: James Glasson. G L A S S O N. 1 Cove Street, Budd Lake, New Jersey.

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

Mr. Selvaggi: Yes. Thank you, Mr. Buzak. Jim, and to the extent that the Board will have you run through your qualifications. I know you have appeared before, many times, but just for the Record, your educational background and your experience in land use matters and letting everyone know that your license is still current.

Mr. Glasson: Yes, my license is...

Mr. Weiss: I'm going to interrupt for a quick...I think rather than...let's spend more quality time talking about the application.

Mr. Selvaggi: Okay.

Mr. Weiss: Jim, maybe...that's a fine question though. Just confirm for the Record that your licenses are current, in New Jersey. I think every one of us knows your work. You've been in front of us, and we have no doubt that you are an expert in engineering for this application. So, again, I was talking over you...maybe just confirm that your licenses are good.

Mr. Glasson: Yes, my license is current in the State of New Jersey.

Mr. Weiss: Perfect. Are you okay with that Mr. Buzak?

Mr. Buzak: I am, Mr. Chairman.

Mr. Weiss: Perfect. Let's spend some better time doing other things.

Mr. Selvaggi: All right. So, Jim you prepared the engineering plans that were submitted here. Why don't we start, first, with a discussion as to what is out there now? The existing conditions. I generally described it, but let's go into a little more detail.

Mr. Glasson: If I can share my screen with you...I'll do that now.

Inaudible

Mr. Selvaggi: What is this, Jim? Since I don't think this was something we submitted so we'll probably have to mark this.

Mr. Buzak: We'll mark it A-1. Mr. Glasson can you explain what this is?

Mr. Glasson: Yes. This is an existing conditions rendering, dated 5/10/21. It's basically a colorized version of my sheet, I believe it was my sheet 2 of my plans. My sheet 2 of 17. It's a colorized version. I'll mark it A-1?

Mr. Buzak: Yes.

Mr. Glasson: There are 2 lots, as Mr. Selvaggi said, there are 2 lots that are part of the application. Lot 9, Block 102 which is 110 Route 46. It was the site of the Budd Lake Motel. Or it is the site, and that is, basically, you can see my curser here, that is the outer boundary of this. That encompasses the other property, which is in the center of it, Lot 10, which is the Kennedy site. Lot 9 has 1.88 acres, the larger property. It has a depth of about 416 feet. Again, it surrounds Lot 10. It has two areas of frontage. It has an area of frontage on Route 46. On the left side at about 115 feet of Lot 10 and on the right side at about 51 feet. It contains two main structures. It has a 4,528 1 story motel. That's this long building in the back here. Then it has a second structure of 1,680 square feet. I'll call it a residence or another rentable portion of that motel. There are also 4 cabins on the left side, right along here. They range in size from 180 square feet to 220 square feet. There are 2 paved access ways. I don't know whether they are noted as ingress or egress, but there is a paved access way on the right side of the property and also on the left side of the property. Those access ways provide access to a parking area in front of the hotels here. The total square footage of coverage of that area based on just the pavement alone is 24,000 square feet. The buildings, based on the floor and ratio of only .08. We allow .4 in the zone. The existing impervious coverage on the site, on that particular lot, is 41% and the building coverage is 8.92%. The second lot, is Lot 10. Both of these lots are served by public sewer from a sewer main that's located directly in front of this...the lot frontage, the sewer main comes onto the property, here. There is an 8 inch main, and both of the properties are served by that sewer main. Both are served by individual wells. The second lot, Lot 10, contains .31 acres. Again, the site at Kennedy's Pub, has 169 feet of frontage. As you can see from looking at the picture, most of that lot is paved. The majority of it is. It has 93.4% impervious coverage. The floor area ratio based upon that 1.5 story 2,653 square foot building is .35 and the building coverage is 19.5%. Both the lots are in your C-1 zone. That C-1 zone has a minimum lot size of 1 acre, so Lot 10, is currently deficient at .31. The lot width in C-1 is 200 feet. Both are deficient. Lot 9 which is the larger motel lot is 175 feet in width and Lot 10 is 83 feet. Both are compliant with depth of 150 foot. Your lot coverage in C-1 is 60%. Lot 10 currently exceeds it at 93.4%. Your building coverage is 30. Both of those lots comply. 4.4 both comply. The principal building setbacks, various nonconformities with fronts and sides, I won't get into but your front setback requirement in the C-1 is 75 and your side is 25 and your rear is 20. Your maximum building height allowed is 30 feet. This property is located in your highlands planning area, which is the lesser of the restricted areas. If I can just walk you around the perimeter of the property and tell you what's going on...Directly adjacent from this property, on the right hand corner is Lot 8. It's the Mount Olive Veterinary Hospital. Then just behind that is the sign area of Comfort Suites on Lot 7. Further behind that is a large lot, Lot 4, which is along our right rear and rear of our property. That is in the Village Green. All of those lots are in the C-1 zone. Same zone



as we are in. As you come around the back we hit this yellow line, that you see marked on my plan. That is the demarcation of the zone line. This area over here, is all in the R-4 zone. So, we have in the back, here, a single-family home on Lot 3.08 in the R-4. As we move around this side, we have another Lot 2, Block 2913 also in the R-4. Then we cross over to a single-family home that is actually still in the C-1 zone, because of this being the zone line. Then we finally end up at the frontage on 46 with a strip mall that's located on Lot 3.

One thing that is peculiar, I don't know if you noticed on this plan, there is a well shown here in the front corner. That well actually is the well for the strip mall that is located on that property. Actually, there is an easement that shows up on the survey, but the well is not the easement. So, that may be something that has to be straightened out. But that is the well for this strip mall. We have a number of wells on our property. 3 wells that are part of our application to be abandoned. 2 of them are for the motel area and one of them is for the Kennedy's Pub.

That is an overview of... The property right now slopes from the north to 46. There is a change in grade of about 10 feet over the course of that lowering of property, I would say 500 feet deep. And there is a change in grade of about 10 feet across that property, from front to rear. If I could, basically go to another drawing, if that is possible...inaudible. This is a second drawing, which is a colorized version of my site layout plan.

Mr. Selvaggi: We're going to need to mark this A-2. This is the colorized...

Mr. Glasson: ...A proposed site layout rendering, sheet 2 of 2, because I called these 1 of 2 and 2 of 2. That also is located...also is dated 5/10/21. Again, this is a colorized version of, when you look in my plans, a colorized version of my sheet 4 of 17, with some of our components turned on. I turned on landscaping. I turned on a number of items, on this plan, so you could see them.

Inaudible

Mr. Glasson: All right, as Mike had said originally, we are proposing to merge these 2 lots. You see the lot line has been eliminated in the front which we are proposing to merge them together into a single 2.189 acre piece and call it Lot 9, as we were designated by the tax assessor. It removes the non-conforming width of both lots, and it also removes the coverage problem that we had on Lot 10, by doing that. Those were just inherent issues that currently exist. We are proposing to remove all of the current improvements and abandoned two of those three wells. I should say 3 of the 4 wells. Again, we are going to leave that well up front because it's not our well. It's for the strip mall to our left. Our proposal is to construct a new building. This being the building, right here, which is a 3 story, self-storage facility. It has a footprint of 24,020 square feet. I'll just give you some idea of the magnitude of the dimensions. Across the front, it has a dimension 112. The left side is 272, the rear is 62. Then we have a number of jogs, 80 feet, we jog back in 20 another 90 feet, we jog back in 30 and then we have this sideline here that we have 102 feet, to make up our total footprint. Again that's 24,020 square foot per floor, a total of 72,060 square feet. That building coverage is 25.18 where 30% is allowed. The floor ratio as Mike has said is our variance at .75, where .40 is the maximum allowed. The building has a front setback here, from 46, of 112 feet, which conforms, now, to the required setback of 75. It has a...I'm sorry, it has a 92 foot front setback from the front where 75 is required. It has a 208 linear foot rear setback, where 20 is required and it has a 28.6 left side and a 32, right side. So, it's compliant in all of its setbacks.

There are three access points to the building. There is an access point here at the front door area. There is also an access point on the right-hand side of the building. And this building is set up so that the front appears 3 floors, but one of the floors is basically buried into the terrain. So, when you travel to the back of the building, you actually enter a doorway onto the second floor. So, the building only appears as 2 stories from the rear. The building has 439 storage units. There are 6 units on the right-hand side with garage door access. The rest of them are internally accessed by those 3...inaudible...locations.

To give you an idea, the building front is an elevation 970.00 as you proceed around the building to the rear, the grade increases. In the rear, you enter the building at the second-floor rear at a grade of 980.5. So that's about a 10.5 foot difference from the front traveling to the rear again that is where that first story is buried into the hillside. The building height is 29.81 based on your average grade. The first floor to peak in the front of the building is 33.83 and the first floor and technically the second floor, at the grade in the rear of the building, is 23.33. That's why your average grade stays below the 30 feet. We have a single 25-foot-wide ingress / egress on the front, left side of the property off of 46. There is a 2-way isle. It crosses in front of the building and then there are 11 parking spaces directly in front of the building with a handicapped stall and van accessible handicapped parking space. We've provided a one-way, single way, counter clockwise direction around the building. The building will have a gated area off of the right, front of the building. You travel through a rolling gate. Then there are an additional 10 standard spaces on the right-hand side, then 3 parallel spaces further back. Then as you travel to the rear of the building, there are an additional 10 spaces, for a total of 31 spaces. In the absence of specifically calling out self-storage in the ordinance, we used a different ordinance. If we were to use the Township's ordinance of 1 per 5,000, as indicated in Mr. McGroarty's report, our report would require 15 spaces. We do have quite a number of spaces, at 31. If we were to eliminate spaces on the right-hand side, we would have some room to pull the curb line in and do some maneuvering there. The proposed one-way isle accommodates up to a 30-foot truck. A 30-foot SU truck. This is not intended for access for tractor trailers. We showed a template on the layout plan showing that a 30-foot SU truck can be accommodated by the access way.

The rolling gated entrance, on the right of the building, has a fence that surrounds the entire paved area. An 8-foot-high fence would be required, way before, and then its gated on the exit on the other side. The only area that is open is the front parking lot. The rest of it is gated to get around the building. To the right-side access to the rear access.

We have a new 4 inch sewer connection to the new building, in the front of the building. The only sewerage for this building is first floor bathrooms. There are no bathrooms on the second or third floor. We have a new well proposed, in the rear of the building, inside this circle just off of the curb line. We have underground electric and telephone proposed off of 46, up the left side, to a transformer pad, into the building in this corner, here. We have a fenced dumpster area on the right hand side of the building, with a generator pad also shown on that right side. I don't know if you see it on this plan, but there is an underground fire suppression tank here, for our sprinkler system, that would be filled by our well. I guess the architect can talk about that. If that becomes a question, but there is an underground tank that is located here. I believe it's a 7,000 square foot tank. He may want to comment on that.

Mr. Buzak:                   Is that a 7,000 gallon...?

Mr. Glasson:               Gallon tank. Gallon...I'm sorry. Gallon tank. That's located under the parking lot. It's actually, I'm sorry, a 17,000 gallon tank. Sorry.

Currently, there is no storm system for the property, as it currently exists. Everything flows towards 46. So, what we tried to do here, was to put piping and inlets to an infiltration basin, that we've shown in the front of here. The infiltration basin would be an open basin. There is a retaining wall shown, on 2 sides of it, to accommodate the parking area around it. I know Mr. Vreeland had some questions about our spacing of our retaining wall. And he had some questions for me regarding my drainage system, all of which I think I can accommodate by some shifting of things. But, I'll get into that when we talk about his report.

We have lighting proposed. We have 12 building mounted lights. We have 4 lights on the right-hand side of the building. I don't know that you will see them on here, but they are little boxes. If you look at the lighting plan, they are noted very clearly. My lighting plan, if you wanted to open my set of site plans, that would be sheet #9 of 17. That clearly shows where the lights are. I'll try to guide you with them, but there is 4 lights located along this side of the building, that are mounted on the building at a height of 12 feet. There are 5 lights that are located on the right-hand side of the building, that are mounted at a height of 16 feet. There are 2 building mounted lights on the front, mounted at 18 feet. And there is 1 light in the rear, at 12 feet. There are also 4 pole mounted lights. We have 1 in the rear, in this location outside the curb. We have 1 on the right-hand side and then we have 2 in the front, along the access, coming in from 46. They are along this side. They are located...1 is mounted at a height of 12 and 1 is at 14. We have lighting intensities to show 0 at the property lines. I know there were some comments about our lighting intensities, maybe not meeting the requirement with the foot candle. We tried expressly, with our lighting guy, that I sent out to intensity wise, to get our lighting to be literally 0 at the property lines. So, I can change that, but I was trying to eliminate any offsite glare. Particularly, since we do have some residential neighbors. We are time clock operated, and we can talk about what you would like, with regard to lighting, when you would like them on and off, but we are time clock operated.

We are removing 36 trees, that are associated with the hotel/motel area, when we construct this. We are required to have 142 replacement trees. We are proposing, Douglas Firs running all the way around the perimeter here. There are 62 Douglas Firs, and then we have another...somewhere around the neighborhood of...300 trees and shrubs. There are 4 species that we counted toward our replacement. Some of them being trees, some of them being 3 gallon shrubs. That basically meet our replacement requirement. We are doing pretty extensive landscaping. The rear of the property pretty much stays undisturbed other than the landscaping across the back of the parking lot but this area is already has some wood line that is maintained. There is already a grass area, that is there now, that is currently behind the motel building and the existing second building that's there right now. The main issue that we probably have, that's been spelled out in the report, is our buffer from our residential zone to our left. We do need relief on that. We have a buffer on only 8.6 feet on our left side, to our curb line. The only difference is this building sits significantly down in elevation from those homes that are to our left. If I can start, just in the back, here, to give you an order of magnitude, this home back here has a first floor elevation of 992. I'm going to guesstimate from being out there, it probably has a second floor of about 1,003, because I looked at it and it appears to have an 8 foot ceiling on that floor. Our roof peak is at 1,003. Our building starts down at elevation of 970 and that first floor of that house is at 992. So, our front of our building is 22 feet lower than the first floor of this home, here. It's very similar to the home that's located on lot 2 which has first floor of 994. So, we are some 20-22 feet lower with where we start the building.

That's why we buried the building into the terrain here, so we only appear as 2 stories in the rear of the structure.

We have a free standing sign that sits, out here, on 46, by the road. The sign is 20 feet off the property line. It's 7.5 x 12, 90 square feet. It's 15 feet to the top of the sign. It meets your sign ordinance. We do have two building mounted signs. We have a sign on the south face of the building, over here. A larger of our building mounted signs, 200 square feet. It's 18 x 10. 18.6 x 10.7. Then again, on the east side we have a sign. So, they will both be visible when you come on 46. One from the front and one from this side because the building is kind of angled from 46. We do have....to try to buffer our neighbors on that westerly side, we have a 440 foot long fence along the top of the hill. It's a 6 foot stockade fence. So, besides our chain link fence at the bottom of the hill around the curb line, we have 440 feet of 6 foot stockade fence that basically starts at the beginning of Lot 2, 2914 here and travels to the back, past the home on Lot 3.08, which is the furthest home in the R-4, that abuts us. So, we tried to buffer them further, with a fence on top of the hill. 6 foot stockade fence.

That gives you an overview of...

Mr. Selvaggi: So, Jim, why don't we do this...to make sure we address Mr. Vreeland's report. On page 2 of his May 10<sup>th</sup> report he talks about the exceptions, the variances and the waivers, which Mr. Caldwell can go through. But then, on number 3, he talks about the stormwater management and...

Mr. Glasson: Before you go to that, Mike. He does talk about the fire lanes, which we talked about this internally. Number 2.1-2. We talked about signing...putting some signage up around...make sure no one parks there, while they're coming in and they use the parking spots. We could put signage around the outside, so we maintain those fire lanes. Or we can put striping. I could work that out with Mr. Vreeland. Sorry about that, Mike. Go ahead.

Mr. Selvaggi: Okay, No that's fine. So, then on this stormwater management and he's offered 12 comments in total. Any of the comments we take exception to, we can't adhere to, particularly, he talks about the proximity of the basin to the access drive...

Mr. Glasson: Yes, I think we are going to shift that. I'm going to do a little something, so I shift that, so I get a separation from the retaining wall. That's what he is concerned with. There is a retaining wall there, and that retaining wall is very close to the driveway. So, there has to be a shift of that. Yes, I will sit down with him and go through that, but I don't think I have any problem meeting those criteria.

Mr. Selvaggi: Okay. Then the balance of his comments...you'd be able to accommodate by revising the plans or providing the additional data that he is looking for?

Mr. Glasson: Yes, I would.

Mr. Selvaggi: Okay. Then, he talks about the layout and the circulation. His first comment talks about the solid waste and the recyclables. Again, where is that?

Mr. Glasson: That is on the right side of the building, where I testified, we have a dumpster area, a fenced dumpster area on the right hand side, 8 x 16, over here, where my cursor is now. I don't know how much, there will be separated dumpsters there, because I'm assuming at a storage facility, you'll have people that have boxes and stuff like that. So, I think there would just be a dumpster for garbage and a dumpster for recyclables. So, that will all be accommodated by the 8 x 16.

Mr. Glasson: And, in that space, is sufficiently large enough for the garbage truck, or recyclable truck to get in there and maneuver and pick the stuff up?

Mr. Glasson: And that would have to be coordinated, as would emergency services, with the gates, with the owner, because now, this is a gated area. So, there is a gate here and a gate on the other side and this is surrounded by a fence, that we are asking for a waiver for, 8 foot high. So, that would have to be coordinated with whoever he has for his solid waste pick-up and for emergency services, to get access around that building.

Mr. Selvaggi: Okay. Certainly, you've designed it that way, with the understanding that we would either have to provide some code or information to emergency services or the garbage company?

Mr. Glasson: Yes.

Mr. Selvaggi: We talked about the parking in his 4.3 and 4.4, you'll certainly sign and seal those details for the retaining walls? Then the proximity to the infiltration basin, we have discussed. 4.6 the paving details, you'll certainly do. Then he talks about the site distance at the proposed driveway. He asked that you confirm that the site lines will not be obstructed.

Mr. Glasson: We have a traffic engineer, on board, who is waiting to make application to the DEP...I mean to DOT. He reviewed this and we came up with this location as the optimum location because cars coming off 46...if you are aware of it, is where the land divides on 46 to go to the jug handle. So, putting this access way further away, I'm going to say the main portion of 46, this is kind of the Netcong Road jug handle, or Netcong Road de-cell lane off of 46 at Netcong Road. So, this is actually the optimum location for it. Our traffic engineer did review that.

Mr. Selvaggi: Okay.

Mr. Buzak: I'm sorry, just for the record, here, Mr. Glasson can't testify as to what the traffic engineer said. All of that is here-say. So...inaudible...facts, Mr. Glasson, but I just want to...we need to maintain some degree of formality, here, in terms of testimony. If Mr. Glasson is able to testify as an expert to that, that's fine, but he can't express...

Mr. Glasson: I will testify that it is the optimum location of the property.

Mr. Buzak: Thank you, Mr. Glasson.

Mr. Selvaggi: And the sight lines will be maintained. There is going to be no obstructions, there?

Mr. Glasson: No obstructions.

Mr. Selvaggi: Okay. We can have our traffic consultant talk about the circulation, although I think your plans did include an internal circulation drawing, correct?

Mr. Glasson: Yes, it shows all of the striping, all of the stop signs, do not enter signs. There is additional signage, I think somebody had discussed, but that is not a problem.

Mr. Selvaggi: The way this had been laid out, the emergency vehicle, particularly a fire truck could come in and circulate the building.

Mr. Glasson: This accommodates...we ran a 30-foot-long fire truck. I'm not going to tell you that a hook and ladder truck will get through here, but it would accommodate a 30-foot-long vehicle. So, we took a 30 foot long fire truck and showed that it can get around the building.

Mr. Glasson: Okay. The utilities, section 5, Mr. Vreeland talks about HVAC generator and other mechanical units for the storage building. I don't know if you can answer it, or we can save that for the architect?

Mr. Glasson: The architect will probably handle that one and fire suppression.

Mr. Selvaggi: Okay. Now, Mr. Vreeland, on number 5.2, recommends the existing sanitary sewer be TV inspected, prior to the proposed connection. That hasn't been done yet, correct?

Mr. Glasson: No, that has not been done. I don't believe that's an issue. We are going to have to do that anyway, I think, to make our connection. Just check it out.

Mr. Selvaggi: Okay. Then his comment 5.3, you have no objection to putting the location in invert elevations for the clean outs on the plans?

Mr. Glasson: No. No problem.

Mr. Selvaggi: All right. 5.4, raises the question, does the underground fire suppression tank conflict with the perimeter fencing?

Mr. Glasson: If it does, we will rectify that on a revision we'll do.

Mr. Selvaggi: Okay. We will provide the will serve letters. Then he defers to Mr. McGroarty about the landscaping, which we'll talk about. I think we talked about the lighting. The hours of operation, Jim, I know in your statement of operations that you prepared, you set forth what that was...

Mr. Glasson: The facility will be open 24 hours a day 7 days a week for access, it's a gated facility, but there can be a time at which certain lights are turned off. I'll leave that up to the Town's wish. But it can be time clock operated, so that there could only be security lighting on for certain hours, if that's the desire of the Town.

Mr. Selvaggi: The facility, even though it may be available using it, or renting space, it will be manned though, 7 days a week, for a certain period of time?

Mr. Glasson: Should be manned, by at least a single individual, at all times.

Mr. Selvaggi: Okay. We talked about...well, asked for clarification, 7.2, about decorative exterior lighting or sign lighting is proposed. I know you talked about the signage. I don't know if you talked about whether that would be illuminated or not.

Mr. Glasson: I'll leave that up to the architect.

Mr. Selvaggi: Okay.

Mr. Glasson: He'll talk about that and talk about the canopy, overhangs, and whether there is lighting details. I don't know the specifics of his security lighting on the building.

Mr. Selvaggi: All right. You did 7.4, talk about the foot candles and the average max...

Mr. Glasson: I can beef those up, but I was trying to keep it zero. I instructed my lighting guy that I wanted it zero at the property line. So, I hope that wouldn't be an issue if I beef that up, but I think that I would be giving some off-site glare.

Mr. Selvaggi: Okay. I'm sure that the Board will let us know. Then, Mr. Vreeland, in his final comment, talks about the pole light, A-2, as adjacent to the proposed well. Considering separation?

Mr. Glasson: Yes, I'll shift the well. Because of the pole light, I liked the location of it because it gives the right trace in that area. So, I'll just shift the well.

Mr. Selvaggi: Okay. The other outside agency approvals, we have no objection to. So, with that, Mr. Chairman, I don't have anything further for Mr. Glasson, with respect to the engineering aspect of it. The Board, I'm sure probably has some questions for him.

Mr. Weiss: Yes. Jim, why don't you take down...

Inaudible

Mr. Weiss: Sorry about that everybody. All right. I don't know what's wrong. Can ...inaudible... hear me? When I lost my connection, we were offering to Mike Vreeland to respond, if he thought he needed address to the comments by Jim Glasson.

Mr. Vreeland: Yes, I thought Jim did a good job going through my report and walking us through the site plan. Just for clarification, the intent of our comment regarding the lighting, was just to point out that there may be a deviation from what the ordinance requires. I think we're satisfied with the lighting levels, and we are not looking for the applicant to increase those levels, but they may not fully comply with what's required in the ordinance. I think everything else Jim addressed in our memo, to his testimony.

Mr. Weiss: Does anybody else, on the Planning Board, have any questions for Jim based on his testimony, that he gave us?

Mr. McGroarty: I do.

Mr. Weiss: Go ahead, Chuck.

Mr. McGroarty: Not a question so much, Mr. Chairman. I understood, Mr. Selvaggi to say that the exceptions will be addressed by Mr. Caldwell, under the client testimony. Mike raised them, I raised them, in my report, but one point, Jim, you mentioned the 8 foot high fence as a waiver. That in fact requires a variance as we indicated in the report. I think Mike did, likewise. So, that will have to be addressed as it may. One other thing, Jim mentioned the wall signage is on the architectural plan. Jim, I don't think it's on your site plan. But when the architect testifies, I have a question for him, regarding compliance with the ordinance standards. Unless, you want to address it?

Mr. Glasson: I'll let him address it because I don't know exact specifics.

Mr. McGroarty: Okay.

Mr. Weiss: All right. Anybody else? Jim?

Mr. Buzak: Mr. Chairman, I have a question for Mr. Glasson, although he may not be able to answer it. The fence that we are talking about, around a portion of the perimeter, the 8 foot high fence, what type of fence is that?

Mr. Glasson: So, the 8 foot, is a chain link that runs around from 2 building corners and runs around basically the curb line and the parking lot. But then there is a 440 linear foot stockade fence, wood stockade fence, at the top of the slope of the hill, along the property line on our left side. That's the one I testified to, that starts at that residential use in C-1, on Lot 2, Block 2914, and travels through the backyard of Lot 3.08 Block 2906, on our left side. Our westerly side of the property.

Mr. Buzak: Will that be a 6-foot-high stockade fence or an 8-foot-high stockade fence?

Mr. Glasson: That is a 6-foot-high stockade.

Mr. Buzak: Thank you.

Mr. Weiss: Nobody else on the Planning Board? Let me open it to the public. I don't see anybody from the public. Close it to the public.

Mr. McGroarty: Mr. Chair?

Mr. Weiss: Yes.

Mr. McGroarty: I wonder if...there is a hand there. I was going to say, maybe the public isn't aware that they have to raise their hand? I see now, someone has raised their hand.



Mr. Weiss: Thanks for that, Chuck. Good point. We should get used to this.

Mr. Nelsen: Howie, I have a question.

Mr. Weiss: Go ahead.

Mr. Nelsen: There is some...I saw some trees in disrepair. Or, either dead or dying trees. Are those to be addressed also? Are they going to be taken out? I'm not completely sure if it's on their property or if it's on maybe, the hotel property.

Mr. Glasson: Are you talking about the Comfort Suites Hotel?

Mr. Nelsen: Yes. The Comfort Suites, on the east side of this property.

Mr. Glasson: I can tell you that I do have a plan. My sheet 2 of 17, I don't know if it helps you, but it shows that actual trees that we are taking down and which ones are on our property. There are some trees on that right side that are probably not on our property, that you are seeing. But my sheet 2 of 17 actually shows the specific trees with Xs on them, on my overall set of site plans. I don't know how to answer that. I don't know which specific trees you are talking about. But there are a lot of trees, to that right hand side, that are not on the property, that may be on the Comfort Suites property. I can't really tell you that, because we did locate the trees that were on our property.

Mr. Nelsen: Okay. And there is...I imagine in the front of that property, the front eastern end of the property, there was a lot of natural plants there, trees, shrubs. Are any of those to remain? I know you are putting in some along the sides, some...

Mr. Glasson: So, you're talking about the front right corner of our property?

Mr. Nelsen: Yes.

Mr. Glasson: So, anything that's on the Mount Olive Vet side, because they have extensive planting, next door, those all stay. They have nothing to do with us. But, we are taking...I mean I can see right in the front corner, we are taking a 12...inaudible...tree down. There are a couple of trees that are remaining because they actually fall on the Mount Olive Vet property. I can't answer what specific plants did you talk about. I'm talking about trees, but I can say that we are putting in planting in that area. I don't know the specifics in what you are talking about, when I look at the plan.

Mr. Nelsen: I'm just wondering if any of that natural stuff that was there is to remain.

Mr. Glasson: Well, if you just turn...I don't know if you have my plans. If you turn to sheet 10, of 17, you can see the sign location, out front. Behind that, there is a tree line shown. Right behind the sign location and that existing tree line is to remain. That's a portion that is going to remain, that shaded area that basically starts on our property, then travels towards the back of the Mount Olive Vet property. That quarter. I don't know if that answers your question?

Mr. Nelsen: Thank you.

Mr. Weiss: Okay. So, we did have a hand up from the public. It's coming in from John.

Mr. Shaw: How are you doing tonight?

Mr. Weiss: All right. John if you would state your name and address for the Record. I know you have a question for Mr. Glasson.

Mr. Shaw: Name is John Shaw. My address is 43 First Street. I am Block 2913, Lot 3.

Mr. Weiss: Thank you, John. Go ahead in your question.

Mr. Buzak: Can you spell your last name, Sir? Is it S H A W?

Mr. Shaw: Yes, it is.

Mr. Buzak: Thank you.

Mr. Shaw: My question...well, Mr. Glasson kind of debunked a lot of the questions I had to ask, but I'm going to ask, does it have to be a 24/7 operation? I mean, you do have residential...it's not like the one on 46, where the old Chinese / Hibachi place was, where there is not any residential houses around it. I also want to know...

Mr. Buzak: Let's take one question at a time because we are going to have 30 questions and we are not going to remember 29 of them.

Mr. Shaw: Okay.

Mr. Buzak: Mr. Glasson, can you respond to that?

Mr. Glasson: I can't speak for the owner. I'm under the impression that it was 24/7 but maybe Mr. Selvaggi can address that? I don't know how that would be addressed.

Mr. Shaw: Okay. Mr. Selvaggi?

Mr. Selvaggi: Just to be clear, it's going to be accessible during that period of time. I mean if somebody was going to swing by and grab something. I mean, I don't think it's going to be an active operation. But if you had storage stuff there, you'd be able to punch in your code and get into the building.

Mr. Shaw: Okay.

Mr. Selvaggi: I know...Jim...never mind...the architect, I'll ask him the question because it has to do with the design of the building.

Mr. Buzak: Is it true, Mr. Selvaggi, Mr. Glasson, that except for the six garage access appoints on the right hand side of your plan, all the other access to that building and the storage units within the building, are within the building, itself? So, someone, if they do come after hours,

then has to get into that building and on an interior basis, go to their storage unit. Do whatever they have to do, and then if they are moving something, take it out, if they are dropping something off, bringing it in, is that all correct?

Mr. Glasson: Yes.

Mr. Buzak: So, it's not like the old type...I shouldn't say old type...different type ones where all of them are essentially accessible from outside as opposed to inside. Is that correct?

Mr. Glasson: That is correct. And where there actually is not even a door on this side facing the residential. There is a door in the back. Now, I mean that's up to the...they could restrict that...the use of that door, I guess, at certain hours. That back door area. But there is no access along that side that faces the residential.

Mr. Shaw: Thank you. My next question is, building color. I hope it's not going to be some gaudy orange with big white doors? Is there garage doors for people to pull cars in, on this? Or, is this all an indoor type storage?

Mr. Glasson: There are 6 garage...there is only 6 bays with garage door access. So, very limited. A lot of self-storage places have garage doors all the way around the building. There is just three areas with manned doors, to internally...most of this is internal access through hallways, to storage units that have doors inside. But there are 6 garage doors, only on the right-hand front corner of the building. So, opposite the residential use, on your side.

Mr. Weiss: I suppose we can save that fine question, from Mr. Shaw, for the architect, about the building color.

Mr. Selvaggi: Yes. Our architect can address that, Mr. Chairman.

Mr. Weiss: Okay.

Mr. Shaw: One more question. Since you already took care of the lighting issue, and I'm pretty sure if we have any problems, you'll make adjustments, with glare and stuff like that. We'll take care of another time. That back lot, on the north side, where it's the grass. Now, is that going to turn around and be, in the future, maybe you can't answer that, but is that going to be opened up for people to pull boats and RVs in?

Mr. Glasson: That is not intended, to be that at all. And, it's fenced off because our 8 foot fence, now, would separate that. So, that is not an accessible area in the back.

Mr. Shaw: For now?

Mr. Weiss: I was going to say, that's kind of a loaded question, for now. The applicant's here to explain to us, what they want to do. There is certainly no testimony to them using that for anything at all. The answer is clearly no. It has to be no. The Planning Board...the Township would have a large problem with the applicant if they decided to find another use without the approval of the Board.

Mr. Selvaggi: Also, Mr. Shaw, we're just below, like a percentage point of what our impervious coverage is allowed, here. 60% is the max. We're at 59%. Anything that adds to our storage, couldn't be done on lawn area. So, if some future owner, or this applicant, was going to try to do that, he would have to return to the Board to get a variance, in order to park in that vegetated or open space area, in the back. But it is not part of this application. And it will, in fact, be inaccessible, due to the fence.

Mr. Shaw: Okay. I guess that's pretty much it. I just have one little thing I'd like to say.

Mr. Weiss: Well, hold on. We're going to open it back up for comments. I want to use this opportunity to ask questions. If you have a comment, we'll come back to that. All right? Mr. Shaw?

Mr. Shaw: Yes.

Mr. Weiss: We'll use the time for questions. If you have a comment, we'll come back to you. I'll open the meeting back up for comments.

Mr. Shaw: Okay.

Mr. Weiss: All right. Thank you for your questions. I don't see anybody else from the public, with a question. So, let's close it to the public for questions for Mr. Glasson. Anybody else from the Planning Board? I don't see...

Mr. Vreeland: Follow-up question, there's not going to be outdoor storage or long-term parking of vehicles in the paved area? I know we talked about outdoors, in the grass area.

Mr. Selvaggi: The parking...I'll ask Mr. Glasson...the parking was designed solely to accommodate customers and not permanent overnight parking of boats or RVs or anything, correct?

Mr. Glasson: Correct.

Mr. Vreeland: Thank you.

Mr. Weiss: Anybody else? All right, Jim. Thanks so much for your testimony. You'll be around if we need you again? Michael, why don't you bring up your next expert?

Mr. Selvaggi: Yes, Yogesh are you there.

Mr. Mistry: Yes. Can you hear me.

Mr. Selvaggi: Yes, we can hear you. Mr. Chairman, if we can have our architect sworn in and then we'll run through his qualifications as well. Thank you.

Mr. Chairman: Okay.

Mr. Mistry was sworn in, for the Record.

Mr. Buzak: Can you state your name and address, for the Record, spelling your last name?

Mr. Mistry: Yogesh Mistry. Y O G E S H M I S T R Y. 350 Clark Drive, Budd Lake, New Jersey.

Mr. Buzak: Thank you, Sir. Mr. Selvaggi?

Mr. Selvaggi: Mr. Mistry, what's your educational background, experience in land use matters and give us the status of your license?

Mr. Mistry: Sure, I'm a licensed architect in the State of New Jersey. I have been since 2000. I have a bachelor's degree in architecture from the New Jersey Institute of Technology. I practiced since I graduated, in the field of Architecture. I currently have my own practice, in Budd Lake, which I've had my own practice for 19 years where we do various types of architecture including commercial, residential, hospitality, retail. I've testified as an architect to many Boards throughout northern New Jersey. I've been in Mount Olive once or twice. I've actually lived here for the last 14 years. I've only been on 2 applications.

Mr. Selvaggi: All right. And your license is current, correct?

Mr. Mistry: Yes.

Mr. Selvaggi: Okay. I would hope Mr. Chairman, the Board would accept Mr. Mistry as an expert in the area of Architecture.

Mr. Weiss: Does anybody on the Planning Board have any questions for the qualifications of Mr. Mistry. I don't see any, so I have no reason not to accept you, tonight, Mr. Mistry, as the expert in architecture for this application. And I would Say welcome to Mount Olive, but you live here. So, welcome to our meeting tonight.

Mr. Mistry: Thank you.

Mr. Selvaggi: Why don't we run through, you did the renderings in connection with this application, correct?

Mr. Mistry: Yes. And, if I may, Maybe I'll just run through the Plans quickly and present them.

Mr. Selvaggi: Are you going to share your screen?

Mr. Mistry: Yes. I'm presenting sheet A – 2.01 of the architectural drawings that were submitted as part of this application. I don't know if you need to mark it, but it's the same drawing that was submitted.

Mr. Buzak: We'll mark it A-3 for the Record and should be A-2.01, Mr. Mistry?

Mr. Mistry: Correct.

Mr. Buzak: Thank you.

Mr. Mistry: So, A-2.01 sheet, represents the floorplans of the building, the proposed warehouse building. Sorry, the self-storage building. As Jim has mentioned, it's a 3-story building. Footprint being 24, 020 square feet. Multiplied by 3 floors, it's 72,060 square feet. The ground floor as you see it on the screen, the front door being the left side of the page. The main entry being in that front, right corner. There is an office space where you can have a tenant there, maybe some offices and there is a toilet room. The balance of the floors essentially, various self-storage units, broken up into different sizes. In addition, there is mechanical utility room, in the front left corner. There is an elevator towards the front, as you come in. A fire stair behind it and then there is a second set of elevator and stairs, in the rear. The six drive in bays are right as you come in on the right side of the building, on the southeast side. Those are the only six bays that have doors to the outside. Everything else is internal. We don't intend to have any windows on the building, except, for the front corner where the office is and above the office. I'll show you that in a few minutes in the rendering. On the second and third floors, they are almost identical. Essentially the entire floor is made up of various self-storage units. On the second floor, as Jim has mentioned, there is a secondary entrance and this, on the second floor, is at grade because of the way the grade slopes up, in the back, when you come out of the second-floor door, you are essentially at grade, at the rear of the building. And there are some parking spaces in the back to access that. There is not much else going on in the building. It's a straightforward, self-storage building.

There will be security, 24/7. Really, based on what you saw on the site plan, you can't really get to the back of the building or anywhere past the front face unless you have security access because there is a gate on the right side and there is a gate on the left side. So, there is really no access. If you wanted to go in, you'd have to have some kind of card or security access to get into the building.

The second sheet of the drawing set is A-4.01.

Mr. Selvaggi: Let's mark that A-4. And that was sheet, what?

Mr. Mistry: A-4.01.

Mr. Selvaggi: Okay.

Mr. Mistry: These are the exterior elevations of the building. I just want to show this, because...and I'm going to flip over to the color rendering which shows a little better, you can see, this is the left side of the building, where on the front facing Route 46, is 3 stories. As you get toward the back, it's essentially 2 stories because the first floor is buried underground. The same thing on the right side. You can see again, the six, drive in bays, are more toward the front, closer to Route 46. I'm going to flip off of this...

Mr. Selvaggi: All right, let's mark that A-5.

Mr. Mistry: Sure. There's no number on this but A-5, exhibit A-5, is a 3-D color rendering produced by our office. This is a rendering showing the front, right corner of the building. You're looking at it from Route 46. So, this generally depicts how the building would look

like, if you were looking at the front, right corner. This is where we'd have the glass on the building. The office area would be on the ground floor. The other 2 floors are essentially just looking into the storage spaces. The drive-in loading bays, you can see on the right, again, this fence is the...would be a sliding security fence that you need to get buzzed in, to go inside. This, on the left of the...inaudible...the front parking lot for visitors or new customers coming to the property.

The signage, I know somebody had a question about the signage, but we have the free-standing sign that is in the foreground, here. It's kind of flipped off, but on the building, there is 2 signs. One facing the east side of this entry tower and one facing the south side of the building. This one has 200 square feet of area. And this one has 50 square feet. They will be internally illuminated. Right now, we don't have the exact appearance of the sign, but that's the general location and look of the signs.

There will be an entry canopy. There will be just some galleon lights on this canopy. There would be a smaller version of this in the rear, that would begin with some galleon lights as per the entrance area. These are the two building mounted lights that Jim had spoken about. This is more for illuminating the parking areas.

As far as the exterior finishes go, there is a color, masonry ground floor, I guess, the first floor. The upper floors would be a stucco material in varying tones of light grays, if you may, and some accents in the front with a darker gray. Essentially this color would continue around the rest of the building, on the other 2 sides.

The building will be fully sprinklered. Because it nears a well, in the site. There has to be a sprinkler tank underground. Jim had pointed out, is towards the rear of the property. That gets tied to the sprinkler system in the building and it's serviced at regular fashion. We will be fully ADA compliant, with elevators and it's all on grade, at the front and rear, so there is no need for ramps. I think that's it. I'm not sure if I missed something, but that generally describes the building and how it functions.

Mr. Weiss: Mr. Mistry, I have a question for you. Obviously here in the front picture, we're looking at our elevators. Will there be elevators in the back access? Someone who walks in the back, will they have the benefit of an elevator? I suppose they have no choice, but to.

Mr. Mistry: You're not looking at an elevator here. The elevator, once you do get in, you're about like...a little about past the 6<sup>th</sup> door, then elevator, near the front, and also a fire stair. You can't probably see it from this...inaudible. But then there is a second set of a stairs and an elevator towards the rear. So, if you came to the back there is an elevator in the back.

Mr. Weiss: Do me a favor then. Put back up A-3, which is your floor plan. Because I was looking for the elevators earlier.

Mr. Mistry: Sure. So, again this is A-3. This is the main entry. I'm pointing to the bottom left corner. You come in, you go in right here and this large X is the elevator. So, there is also sort of a side entry. It's right here, so, if somebody had parked on the side, they can come in through this door and use the elevator. If somebody comes in through the front, they can use that. And then the second elevator is right here in the...inaudible.

Mr. Weiss: That's the X right in the middle of the building? That one?

Mr. Mistry: No, these are just shafts. There is some...this will be climate control, HVAC in the building and there will be rooftop units that will service the...

Mr. Weiss: So, essentially 2 elevators?

Mr. Mistry: Yes, correct. 2 elevators. These are just shafts, near the other access.

Mr. Weiss: I also noticed, I don't want you to have to go back and forth, but on your rendering, garage doors were kind of like a lime green. Is there any reason for that?

Mr. Mistry: It was just, you know, we were looking at one of the brands that we may work with and that was their corporate colors. I think that was the...sort of bolder colors, that was the only place we would have that but I'm not sure if we are stuck to that. If we have to change that, we...

Mr. Selvaggi: Yogesh, while you have A-3 up, where is the entrance to the rear?

Mr. Mistry: Well, it doesn't happen, here on the ground floor because, down here we are basically underground, in the basement. But if I shoot over to the second floor, right there, there is a little canopy and a vestibule and I come right in and there is an elevator, right as you come in. So, right there.

Mr. Weiss: I don't believe the Planning Board is a big fan of bold colors on buildings. You might want to take that into consideration.

Mr. Mistry: Sure.

Mr. Weiss: Then I just had another...I don't want to monopolize the questions, but is there any concern...you have the 6 garage doors, I suppose they are big enough to park cars in. Are there any concerns about fire hazards for storing a car? Gasoline? We're starting to put cars into a situation, where maybe they don't belong. Is the space big enough to hold a car?

Mr. Mistry: Yes. The unit is 10 x 20. I mean somebody may store...but, you know, there are building code requirements that we would have to follow. Because and we applied...inaudible...as garage stalls. Yes, as long as we meet all of those requirements, someone can store a car in there. But again, the building will be sprinklered, so.

Mr. Weiss: You can drop the exhibits. You can minimize those. Does anybody have any questions for Mr. Mistry?

Mr. Batsch: Mr. Chairman.

Mr. Weiss: Go ahead, please, John.

Mr. Batsch: Just had a quick question. You had mentioned there is security on the gates, I'm assuming it would be like a pin pad that you would enter your code so that the gate would open?



Mr. Mistry: Yes, we haven't worked out the details of that. Yes, it would either be some kind of either key fob or pin pad or something to that effect.

Mr. Batsch: Okay. How about the front door? Would that be also secure?

Mr. Mistry: Yes. Of course, that would be secure. If there is a tenant there at that time, you would have to get buzzed in by the tenant.

Mr. Batsch. Okay, thank you.

Mr. Selvaggi: Before, to, Yogesh if we can, I know Jim, in his testimony, the HVAC and the generator and the other mechanical units, I don't believe you testified as to their location and where they are going to be put.

Mr. Mistry: Yes. I'm not familiar if we have a generator on site there. I guess it would be on the site plan.

Mr. Glasson: I had testified to that being on the right side of the building. It's on my site plan. It's a smaller generator.

Mr. Selvaggi: Then where are the other mechanical units scheduled to go, Yogesh?

Mr. Mistry: So, there will be HVAC units on the roof. They will be rooftop units.

Mr. Selvaggi: Okay. And will they be on the right side of the roof? Away from those neighbors on the left?

Mr. Mistry: We haven't designed the units, themselves, right now. But we can definitely put them closer to the right side of the building.

Mr. Buzak: Do you know how many AC units, we're talking about?

Mr. Mistry: For something like this we'd probably have around 5 units on the roof.

Mr. Nelsen: Will they be screened, as well?

Mr. Mistry: Yes. We will screen them.

Mr. Weiss: Brian, you had a question?

Mr. Schaechter: Two things. I know you agreed on that fluorescent color, and you're right, we are not big fans. Can we make that a condition, I certainly don't want to hold this up, but can we make it a condition that Chuck, you work with the building owner on the color choice for those doors? Very similar language to what we did to the other storage unit?

Mr. McGroarty: I certainly could do that.

Mr. Weiss: Okay. Well, Mr. Selvaggi, you've heard us before.

Mr. Selvaggi: Yes. We have no objection to a color scheme that doesn't include bold or fluorescent colors. I mean to the extent and it's in the Resolution, and whoever the owner tries to partner with, we just show them the Resolution, so, I think that will be fine.

Mr. Weiss: Brian, you had a second question?

Mr. Schaechter: On the shielding, I know that we stated that they would do it, but can we make that a condition. That the HVAC units get shielded?

Mr. Selvaggi: Absolutely. We have no objection to that either.

Mr. Weiss: Anybody else have any questions? Chuck, go ahead.

Mr. McGroarty: Couple. Regarding the façade signage on sheet A-4.01. If I'm reading that correctly, the right parapet sign, the one that you said was 50 square feet, you indicate that it's 6% of the façade? On the plan?

Mr. Mistry: Let me just look at my plan. No. It's .6% of the right façade. Not 6%.

Mr. McGroarty: Oh. I didn't see that little point. Sorry.

Mr. Mistry: Yes. It is definitely under the requirement.

Mr. McGroarty: Is there a detail...I have a couple, Mr. Chairman, if that's all right?

Mr. Weiss: Please go ahead, Chuck.

Mr. McGroarty: Is there a detail for the free-standing sign?

Mr. Mistry: No. I did not design that. Jim, if that's on your drawing? I'm not sure.

Mr. Glasson: Yes. I just have a generic detail.

Mr. McGroarty: So, right now, we don't know what kind of sign. We don't know what the color scheme is. We don't know if its internal illumination. We don't know, pretty much anything except a generic box. Is that fair to say?

Mr. Glasson: Yes. All I show is the steel post, the size of the sign, the height of the sign, and the dimensions of the sign. But I'd say, final sign sizing...inaudible...has to be submitted for approval, prior to installation. I don't know what they are even talking about putting up there.

Mr. McGroarty: The Board may want to take that into account, since we had some concerns about another application about the details regarding the free-standing sign, in terms of color, and so on. With regarding the HVAC Units, is there a reason you haven't shown us yet, where they are on the building?

Mr. Mistry: Just because we haven't designed them yet.

Mr. McGroarty: Any reason why not?

Mr. Mistry: It's usually done by the MET Engineer and usually gets signed on a little bit later during the construction drawings.

Mr. McGroarty: Okay. Did you prepare a perspective of the roof units from First and Second Street? Residential areas to the west?

Mr. Mistry: No.

Mr. McGroarty: Do you have any knowledge of any noise levels that would be generated by these units? Or, as a part of that question, Mr. Schaechter asked about...or Mr. Nelsen did, about shielding. What will the noise levels be and how effective and how will that shielding cut down the audible levels to the point where it's in compliance with State and Township standards? If you know.

Mr. Mistry: We will have to provide screening around all of the units. As far as the noise levels, I don't know all of the details at this time. But just like any other project, we have to meet whatever the sound requirements are at the property line.

Mr. McGroarty: Well, okay. You're coming in with a D-4 variance application, so the building arguably is bigger...not arguably, it is bigger than the ordinance permits. So, I just wondered if you were ready to address that, this evening. I guess, not. I think that's all I had, Mr. Chairman. Thank you.

Mr. Weiss: I want to have a little more of a conversation about the hours of operation. I know you talked about 24/7. I don't know anything about your industry. It seems...it doesn't seem to be normal. Doesn't seem to be standard, that a facility like this is open 24/7. Here is my concern. We're right next to a series of residential properties. I understand that most of the operation is indoors, but people still have to go from the outdoors to the indoors. And if somebody needs to move something at 3:00am in the morning, is a slamming door, dropping a box, having a conversation...is that an intrusion that we might want to try to avoid. Versus, doing normal...I don't know what normal is...but normal business hours. I think we should have a discussion about what we think would be best for the hours of operation. Considering the fact that you are surrounded by some homes over there. Have you had any alternative options, for us?

Mr. Mistry: Was that question for me?

Mr. Weiss: I would say, yes. Well, you don't have an operator here. I'm not sure who else to ask the question to. Somebody, it might have been Jim, might have been you, Mr. Mistry, that talked about the hours of operation, 24/7. So we need to talk about other alternatives, I think.

Mr. Mistry: I'm not sure if I'm the right person to answer that question. I don't know the operations. How they'll operate this facility, in terms of 24/7. All I can say is that I have seen other projects where we've done self-storage and they are 24/7. I don't think people are going in and out of this facility, all day and night, but for the convenience of the users, it's typically how it's done.

Mr. Selvaggi: Mr. Chairman, to help Yogesh out, the applicant would agree to 6:00am to 10:00pm.

Mr. Weiss: I think that's more in line. I think that's very appropriate, and I appreciate that. We'll make that a condition. That was a concern of mine. Anybody else have any other concerns? Questions?

Mr. Buzak: I have a question regarding security and the manning. Is it intended that there would be an attendant there during all times when the facility is open? Now that we are talking about 6:00am-10:00pm.

Mr. Mistry: That is my understanding, that there would be somebody there all the time, to allow people to get in and out, and secure the facility.

Mr. Buzak: Okay, thank you.

Mr. Weiss: Anybody else?

Mr. Vreeland: I have one, Mr. Chairman.

Mr. Weiss: Go ahead, Mike.

Mr. Vreeland: Are these full-size elevators that can accommodate a gurney?

Mr. Mistry: They will be larger elevators for the sake of people moving stuff up and down. I'm not sure that's a requirement for a gurney, but it would probably fit it. We would have to check that. I'm not familiar. I know we do a lot of other department buildings, where we are required, by code, to provide elevators that fit an ambulance stretcher. It's not necessarily the case here. But, it's probably large enough that it would accommodate one.

Mr. Vreeland: Thank you.

Mr. Selvaggi: Also, to address the question about the operations, Mr. Chairman, The facility will be manned from 8:00am to 8:00pm. There will be somebody physically there. The 2 hours before, 6:00-8:00am, and then the 2 hours after, that will...the only way you will be able to access it is if you have a code and you can get in, that way.

Mr. Weiss: Okay. Anybody else.

Mr. Batsch: Yes, Mr. Chairman.

Mr. Weiss: Go ahead, John.

Mr. Batsch: Going back to Mr. McGroarty's question, how do we handle the HVAC issues in the location of the units? Would they have to come back, or it is just up to our engineering and planner?

Mr. Selvaggi: Well, we would certainly agree to a condition, and I think Mr. McGroarty raises a good point to put all of the HVAC units on the right-hand side of the building. Because they are going to be shielded, we are also going to use a standard...custom noise reduction barrier, which are attractive and that would also, to the extent that the noise would be an issue, that would also eliminate the noise potential problem. That's quite common, those barriers would also include the noise reduction fabric, in it.

Mr. Mistry: Yes. That is called sound attenuation panels, but yes, we can provide them.

Mr. McGroarty: Mr. Chairman?

Mr. Weiss: Go ahead, Chuck.

Mr. McGroarty: It just occurred to me, this application, they have submitted it for preliminary site plan approval not final. So, if the Board is inclined to approve this, and we haven't heard the planning testimony, yet. If there is an approval, they still have to come back for a final site plan approval.

Mr. Weiss: That's a good point Chuck, and that answers, then, all these open issues, wouldn't it?

Mr. McGroarty: We're not done yet, of course...

Mr. Weiss: Of course, up until this point.

Mr. McGroarty: Up until this point, yes. A lot of this stuff which really in my judgement ought to be put on the site plan, as opposed to a condition of approval. But since the applicant has only asked for preliminary approval, that would seem to, again, if they get approvals, they have to come back with final, where a lot of these details would be shown.

Mr. Selvaggi: That's an entirely accurate and appropriate comment. We have no objection when we come back in, the building design, in particular, should be finalized at that point. And our architect will be in a much better position to...with the barriers for instance. Where the stuff would be located. Obviously if you put it to the right-hand side, closer to the front of the building, that's further away from the residences as well. Yogesh, that's all possible, right? I mean there wouldn't be anything in the design of this that would inhibit you from saying, well the HVAC units only can be in a particular area, correct?

Mr. Mistry: To some degree, yes. We can generally put it to the right side. I mean we can't jam it all the way, but yes. We would do our best to keep it to the right side of the building.

Mr. Selvaggi: So, yes. We would have to be back in front of you, with almost the... it would be the equivalent of an as-built really. And you'd have another bite of the apple against us, I guess.

Mr. Buzak: Mr. Chairman, I have another question, just regarding the HVAC system. We're talking about an estimated 5 units on the roof. I'm looking at the size of the building, and if

there is going to be 5 of these, I assume they're relatively large units, as compared let's say to a single-family residential house? A large single family residential house. Is that correct, Mr. Mistry?

Mr. Mistry: Yes. They would be appropriately sized for...this is a commercial building. It's the size...it is what it is. But I think to Michael's point, that when we do come back, we definitely have more information showing the size and locations of those units and we'd have a better understanding of what that would be, then.

Mr. Buzak: Okay. I just want to make sure that it's understood that, when Mr. Selvaggi talks about as-builts, that got me a little bit nervous because I don't think final site plan approval is an as-built. I think...inaudible.

Mr. Selvaggi: No, yes. I said like an as-built.

Mr. Buzak: Okay, that's fine. Just so that we are clear because, again, that's fine. I appreciate that, thank you.

Mr. Weiss: I guess at the same time we'd also consider the detail for the signs and all the other open items that we were starting to talk about. But, certainly we can be satisfied through the final approval. Perhaps, I did hear the concern from Chuck about the noise levels. Absent that final...asking for the final approval, maybe we'll have some testimony about the noise that the site will be giving off. I'm not telling you what to do, but certainly, would make a lot of people feel better. Just a point.

Mr. Selvaggi: Yes.

Mr. Weiss: Anybody else have anything for Mr. Mistry? I'm looking here, I don't see anybody. I'm going to open it to the public. If anybody from the public has any questions for the architect, you can raise your hand with the button that is there. Not seeing anything, so let me close it to the public. Mr. Mistry, thank you very much for your testimony, this evening.

Mr. Mistry: Thank you.

Mr. Weiss: Let's continue, Mike, with...

Mr. Selvaggi: Yes. We have Ms. Caldwell, who is still muted.

Ms. Caldwell: Good evening.

Ms. Caldwell was sworn in, for the Record.

Mr. Buzak: If you could please state your name and business address, for the Record, spelling your last name?

Ms. Caldwell: Jessica Caldwell. C A L D W E L L. 145 Spring Street, Suite E, Newton, New Jersey, 07860.

Mr. Buzak: Thank you Ms. Caldwell. Mr. Selvaggi.

Mr. Selvaggi: Yes. Ms. Caldwell, if you could provide the Board, your professional background, licenses you hold and your experience in land use matters, knowing that you've been before this Board on several occasions already.

Mr. Weiss: We can do the same, here, Mike. Jessica, maybe just for the Record, confirm that your licenses are up to date and any other concerns Mr. Buzak might have for us.

Ms. Caldwell: My licenses are up to date and current. I'm in good standing.

Mr. Weiss: You have testified before this Board, numerous times, as an expert planner and that's the position you are going to be taking this evening, in this application, I take it?

Ms. Caldwell: Yes.

Mr. Weiss: There you go. So, I would certainly think, unless anybody from the Planning Board has other comments, we'll accept you as the planner for this evening's application. Once again welcome back to the Mount Olive Planning Board.

Ms. Caldwell: Thank you so much.

Mr. Selvaggi: Okay, Jess. We've filed the application and we've said we need a D-4 variance. Mr. McGroarty correctly also pointed out we need a C or bulk variance for the height of the fence. Let's start in on the D-4, though, and go from there, since that probably, in terms of priority, that's probably the most important variance relief we are going to have to address.

Ms. Caldwell: Okay. So, we have a floor ratio of .75 where .40 is permitted. So, that's really the main variance that we are looking for. It's a D-4 floor area ratio variance. Where the criteria is varied from a D-1 use variance. It's where the Board's focus should be on whether the site will accommodate the problems associated with the proposed use. Given that the...inaudible...a larger floor area than permitted by the Ordinance. It's similar to the Coventry Square standards, where you are looking to make sure that the property can accommodate the larger than permitted building size. So, in terms of the property, what we are proposing, I think what is significant in the first instance is that we meet all of the other bulk standards, with respect to the zone. We meet the minimum lot area, lot width, we meet the setbacks, we meet building coverage, where we're at 25.18% when 30% is permitted. And we meet lot coverage where we are just under 60% at 59.4%. I think some other positive aspects about the project is that we are merging an undersized lot with a larger lot, such that we have a lot at the end of the day, that's 2 times larger than the minimum lot size for the zone. That also eliminates several non-conforming, existing non-conforming standards, which our engineer testified to. We're also demolishing dilapidated and nonconforming existing structures. And we're cleaning up and visually improving the appeal of the property. So, I think all those are positive aspects about the project that we are putting forward with respect to the deed for variance. One of the unique aspects of a self-storage use, is that the parking is quite minimal, relative...relative parking is quite minimal relative to the size of the building. So, for instance, if this were a 72,000 square foot shopping center, we would need 288 parking spaces according to your ordinance. While according to the ordinance here, we need 15 parking spaces and we are proposing 34. So, I think that lends itself, in a way because of the smaller parking requirement will allow for a larger building on the site. We also have the unique aspects of the topography of the site. Such that

while it's a 3 story building, it can be lowered into the back of the site so that it is a 2 story building to the rear. Also unique about a self-storage structure, that there is really no windows on the building. Such that any adjacency to residential uses doesn't impede on any privacy. There is no access where the property is adjacent to any residential uses. And the uses tend to be fairly low key and quiet. And that goes along with the aspect of having not so many parking spaces. So, with respect to the positive criteria, the proposal furthers some of the purposes of municipal land use law. Purpose A which is general welfare. The Mount Olive Master Plan encourages alternative land uses for the area, along the Township's major arterials of Route 46 and Route 206, beyond strip retail development. So, the development of a storage facility is compatible with this goal of the Mount Olive Master Plan. As well as with our recent residential development to the southeast of the property. There is a new Townhome development across the street. Townhomes though larger structures often don't have a lot of storage, and this would be a compatible use with that proposed use. Purpose G, to provide sufficient space in appropriate locations for a variety of uses. The proposal provides for commercial development as generally envisioned by the Master Plan and that it is a permitted use. And in keeping with the existing development of the area. The third floor allows the operation to provide extra storage space for residents of Mount Olive. And appropriately scaled to sized development and to make it...inaudible...and viable. Also integrating a larger amount of parking for the property allows for better access and flow on the site. Purpose I, for visual aesthetics, on the proposal, the proposal will move dilapidated and non-conforming uses on the lot and the proposed use will be more conforming and more in keeping with Township's Master Plan and a visually appealing structure on the property. As I mentioned before, the Mount Olive Township Master Plan goal is that we...move forward are discouraging additional strip retail development along Route 46 and providing alternative land uses for these areas that are more compatible with neighboring land uses with minimizing a traffic burden.

With respect to the negative criteria, the proposed use is permitted in the C-1 zone and the site meets the majority of the bulk standards for the zone. The topography of the building is such that the building appears lower, where there is 2 stories in the back. The applicants are proposing a fence and tree plantings to assist in buffering the property. Existing dilapidated, non-conforming structures will be removed. The proposed commercial use will provide benefit to existing land uses, by being compatible with adjacent residential uses. And therefore, I believe that there is no substantial detriment to adjacent property.

Mr. Selvaggi: Let's shift over because part of your testimony was premised along that fence and that is a fence that is 2 feet larger than what is permitted in the zone. That would be a bulk variance. I imagine it's probably justified under a C-2 analysis?

Ms. Caldwell: The fence essentially, 2 feet higher, I believe, is the chain link fence, which is the security fence.

Mr. Selvaggi: I'm sorry, yes. I apologize.

Ms. Caldwell: So, that is a C-2 argument, essentially providing safety and security for the property, which is the better planning alternative than allowing for a lower fence. It's also not an opaque fence. You can see through it. It's internal to the property, such that it won't have any negative impacts on adjacent properties. So, the benefits of providing that additional security outweigh any detriment.



Mr. Selvaggi: Also, too, on Mr. Vreeland's report, on page 2 of 5, he sets forth in section 2.2, design waivers or exceptions. Usually, the standard for the granting of those is whether they are reasonable or not. If you don't mind, if we can run through those and just give me your opinion, give the Board your opinion, as to the reasonableness of those waivers or exceptions.

Ms. Caldwell: So, we have site plan exceptions or waivers as you mentioned. One is the side yard parking setback, where we have 8.16 proposed, where 15 feet is required. The other is buffer to a residential zone, where 25 feet is required, and 8.6 feet is proposed. The situation with this property is that it is an irregularly shaped property. As you noticed it's triangular in shape and narrows as it goes to the back of the property. So, in order to accommodate the side yard parking setback and that buffer, it's very difficult to accommodate with the way that the structure...has to be shaped, in order to accommodate the storage units inside as well as to fit on the property with this unusual shape. So, we felt there were practical difficulties in meeting the standards and in order to offset any impacts we've proposed the landscaping and fencing along the side of that property...along the side of the residential uses.

Mr. Selvaggi: Okay. Is that all of them? The one-way isle dimension, again, I think testimony a fire truck could circulate the building. I guess that would suggest that relief is certainly reasonable?

Ms. Caldwell: Inaudible.

Mr. Selvaggi: On page 2 of 5.

Mr. Buzak: I was just wondering if, Mr. Selvaggi, just obtained his planner's license over the last couple of days.

Mr. Selvaggi: That was a leading question.

Mr. Buzak: I suppose it was.

Mr. Selvaggi: What's your opinion on the reasonableness of that...the one way isle dimension on Mr. Vreeland's report?

Ms. Caldwell: I think as Mr. Glasson testified to, it is accessible by a fire truck and emergency vehicles which is the primary need for the width of the access. Regular standard vehicles as well as the vehicles that would access the facility, for storage, loading and unloading are also able to access the site. That's...as given to the irregular shape of the property, as I mentioned before, the practicality of providing that extra width creates a hardship, or difficulty for the applicant, such as the waiver exception is warranted.

Mr. Selvaggi: I'm just going through Mr. McGroarty's report. I think, although, Mr. McGroarty will certainly point out if I've missed it, but I think we've addressed his other review comments. So, Mr. Chairman, I think that concluded Ms. Caldwell's planning testimony.

Mr. Weiss: All right. Thank you for that Jessica. Let me see if there is anybody else that might have some questions. Chuck, I'm sure you might have one or two.

Mr. McGroarty: I do.

Mr. Weiss: Let me hold that off...Catherine, why don't you start?

Ms. Natafalusy: Okay. You said that for the exceptions and the waivers, it's a practical difficulty meeting the standards because of the size of the building. Did the applicant ever consider reducing the size of the building so that you can meet those standards?

Ms. Caldwell: More that it's the shape of the lot and the rear that's requiring that issue.

Ms. Natafalusy: Yes, but if you reduce the size of the building perhaps you wouldn't need the FAR, D-4 variance, as well. 72,000 square feet is quite a large building for that lot. You are almost at maximum for impervious coverage. So, that's my question. Did the applicant ever consider reducing the size of the building?

Ms. Caldwell: I believe we'd need to ask the applicant.

Mr. Selvaggi: Yes, the applicant has put forward this plan. I think in looking at the size of these...I mean the old ones that we see...the one in Mansfield and some of the others, I mean...those have become somewhat passe. These are the larger competitive type buildings and I think that's the market that he's shooting for. The reality is, I guess, if you made it small enough to meet the FAR, it probably doesn't economically make any sense. Now I'm not saying that's right or wrong, but that's just the reality of it.

Mr. Weiss: Okay, Dan, go ahead.

Mr. Nelsen: To go along with what Catherine asked, I was thinking the same thing. Have you thought about perhaps only having 2 stories? Which would help with that floor area ratio. Then also, Mr. Selvaggi mentioned that a 30 foot fire truck could access the back of the building, but probably not a ladder truck. If you eliminate the top floor, there wouldn't be a necessity for a ladder truck to get back there. Just a thought, again, with the reducing the size of the building either by removing the top floor, and I understand it wouldn't give you the size of the building and the amount of units that you are seeking, but it seems less intrusive.

Mr. Weiss: Thanks, Dan. Chuck, I think you had a couple of questions?

Mr. McGroarty: Yes, Mr. Chairman. Actually, I don't really have questions, I have opinions. If the Board wants to wait, I can offer them later or I can offer them now.

Mr. Weiss: Here's what I'm thinking. I don't know how much longer we need. It's getting late. I really can't go much past 10:00. I think we should maybe carry the meeting. Michael, I'm looking for you to tell me what else you think you have, because there is some, very interesting comments have been made by Catherine and Dan and perhaps maybe some kind of re-thinking of the size of the building might be in order. I understand that the selling of the property based on the size you are presenting, it's like you are looking for, but maybe somewhere in between might be a compromise that is workable. I don't know, I'm not telling you, you have to do it.

Mr. McGroarty: Mr. Chairman, my comments won't take long. I don't think.

Mr. Weiss: Go ahead. I'm just rambling. Go ahead, Chuck.

Mr. McGroarty: I disagree with the argument put forward to justify the floor area ratio variance. Just in terms of matter of perspective and the floor area ratio, I gave you the arithmetic basically on page 2 of the report. This site...and by the way, .4 is the highest floor area ratio that Mount Olive permits, in its nonresidential zones. So, this is a fairly generous floor area ratio for Mount Olive. It's the highest standard we have. On a site combined of these 2 properties, a complying .4 FAR, would give you a building of 38,145 square feet. What the applicant is proposing is a building of 72,060 square feet, which is almost double what's permitted. He is over...this plan is over by 33,916 square feet. I said I'd be brief so I'd try to stick to that. I think all...as Ms. Natafalusy said and Mr. Nelsen alluded to...in my opinion all of the other issues that are triggered by this...and with regard to the exceptions, are strictly a result of a building that is too big for this site. I'm not persuaded that because it meets the setbacks it's an advantageous design. We have a buffer standard in the ordinance for a reason. You have to have a buffer between a non-residential use and a residential use. Minimum width of a buffer is 25 feet. We have essentially no buffer here, except for a fence and some plantings. And I'll mention too...and again, I cite the language on Page 3 of my report and I frequently do when we deal with exceptions. It's not just that the relief sought is reasonable, the language in our ordinance which mirrors the Municipal Land Use Law language also says that the literal enforcement of one or more provisions of this chapter...that being the town's ordinance...is impracticable, but will exact undue hardship because of the conditions pertaining to the land in question. So, it's not just is it reasonable, is the...the other part of that questions is...is the literal enforcement going to be completely impracticable. And I would say no. I would say we have a building that it's not just the shape of the property, it's the mass of the building that we're talking about. If you took this property, you could rearrange the building...the 38,000 square foot building to completely conform to the building setbacks, lot coverage, and provide the 25 foot buffer to the side. I don't think...and in my judgement reading the case law...which established the special reasons...inaudible...established that FAR basically has to be the same...inaudible...as Ms. Caldwell said. The negative criteria still has to come into play. And we have an application here, and I'll close here...we have an application that's saying we have a floor area ratio proposal that doubles in size that you permit in your town. And by the way, because of that we can't meet your buffer, we can't meet your parking standards, they encroach into the setbacks, we can't meet the isle width. And therefore...but that's because we're on a lot that has an unusual shape which by the you...you know...we're combining two lots to create this property. All of it comes back in my view to the fact that the building is far too big for this site. Mr. Nelsen raises questions about the fire truck access to the back which we are still awaiting comments from the Fire Marshal. And I notice the plans don't even identify fire lanes yet at this point. So, I just think in my judgement, I disagree there's a rational basis under the provisions of the Land Use Law and our ordinance for a FAR that doubles the size of the building.

Mr. Weiss: Chuck, thanks for that insight. I know that it kind of puts it all in perspective. I just wanted to...as soon as Mike's back...Chuck's comments were strong about the whole size of the project. Mike, I hope you heard what he said.

Mr. Selvaggi: I heard.

Mr. Weiss: ...it's causing other problems. I don't know how you wanted to respond to that?

Mr. Selvaggi: Well here's what...and I excused myself to talk to...

Mr. Weiss: No, I understand.

Mr. Selvaggi: So, given the hour...given Mr. McGroarty's comments...I don't...even if we were going to push forward with this...I don't know if we'd finish it tonight anyway. But...you know...we would rest for this evening. And then whenever you guys can get us back on, we would return and see if there's something we can do here to address some of these concerns. And come back at that point. If not, look it will...you guys will vote on it as is. But, let's...let's see if we can do anything to sharpen our pencils as they say.

Mr. Weiss: Okay, so let's do that. Let's kind of slow it down. Mary, let's take a look. I had to relocate from my office so I don't have our schedule in front of me. So, what are some dates we can offer to the applicant?

Ms. Strain: Would June 10<sup>th</sup> be too early?

Mr. Selvaggi: Yes, I don't think so.

Inaudible

Mr. McGroarty: Wait, with all due respect to Mary. June 10<sup>th</sup> we have two variances on that night. One of which is a d2 type variance. I don't think these are going to be simple applications.

Ms. Strain: Okay.

Mr. Selvaggi: You know what, by the way, I just looked my daughter is graduating high school that night so...

Mr. Weiss: That's not important, Mike. Come on, stay focused here.

Laughter

Mr. McGroarty: Congratulations.

Mr. Weiss: I think Jim is making an interesting point that if you were...and I'm not saying you're going to...but if you were to make some changes, you would need Jim to get some time to do it so I think from June 10<sup>th</sup> we go to June 17<sup>th</sup>, I don't know if that works for you.

Mr. Selvaggi: That's fine. I mean...Jim, I don't know if that extra week makes a difference for you or not?

Mr. McGroarty: Mr. Chairman, we have a major subdivision that night and another bulk variance. And then July 8<sup>th</sup>, we have if they are ready to proceed...it's taking a while to get here, but we do have the Amazon offsite parking application.

Inaudible

Mr. Selvaggi: The only thing I would submit is if the owner has any changes, it will another 15 minutes. I mean even if there are some changes, I would hope there were changes to satisfy Mr. McGroarty's comments, address some other concerns Board Members may have. I mean I don't think it's going to take another two hours like it did tonight. So, I don't think we need a lot of time.

Mr. McGroarty: We don't know what kind of changes there are and I don't know if you're looking to incorporate some of the other issues that we've asked about in terms of the HVAC units on top. Circulation issues that the Fire Marshal may have...I don't know. Every meeting from now thru July 8 is pretty packed.

Mr. Weiss: July 15? Is that open?

Mr. McGroarty: That is open. Yes.

Mr. Selvaggi: Then if that is what it has to be, we'll do the 15<sup>th</sup> then. I'm only arguing because I thought we were going to get pushed out even further. But, if...I won't push hard for the 8<sup>th</sup> if the 15<sup>th</sup> is available.

Mr. Weiss: So, let's do that. It looks like the 15<sup>th</sup> works. We will carry this meeting to July 15<sup>th</sup>. There will be no further notice and when we start on July 15<sup>th</sup> I am...I have notes here. I am going to open it to the public if they have any comments about the planning testimony. Let me do that now. If anybody from the public has any questions about the planning testimony that we delivered by Ms. Caldwell. And we do have somebody.

Mr. McGroarty: I'm getting that person now, Mr. Chairman.

Mr. Weiss: Welcome, I would like...I see you have a question. So, if you can state your name, spelling your last name for the record, and give us your address.

Mr. Vaghashiya: Jihan Vaghashiya, 210 Vanderburg Avenue, Rutherford, New Jersey 07070.

Inaudible

Mr. McGroarty: I'm sorry sir, did you say Rutherford, New Jersey?

Mr. Vaghashiya: Correct.

Mr. Weiss: You have a question.

Mr. Vaghashiya: I was wonder if it was possible, we can move it to July 1<sup>st</sup>. Is that an option?

Mr. Weiss: No. It's not. We don't meet on July 1<sup>st</sup>.

Mr. Vaghashiya: Understood. Thank you. That was my question.

Mr. Weiss: Okay. Fair enough. Thank you. That being said, I'm going to close it to the public. And we are going to carry this meeting to July 15<sup>th</sup> 7:00 pm unless we are told otherwise it will be held this virtual way. Based on my technology at my home, I would imagine we better be

back live and in person. We will carry to July 15<sup>th</sup>, no further notice. Meeting is carried till then. Thanks everybody.

Ms. Strain: Excuse me, Mike, I'm going to send you an extension tomorrow, okay?

Mr. Selvaggi: That's fine. No problem. Thank you, Mary.

Ms. Strain: Thank you very much.

Mr. Weiss With that, we have no further business on the agenda. Unless anybody has anything else they'd like to speak about...I'll entertain a motion to adjourn.

Mr. Schaechter: Motion to adjourn.

Mr. Nelsen: Second.

All In Favor: Aye

Meeting Adjourned at 10:01 pm  
Transcribed by: Karen Grill