

**TOWNSHIP OF MOUNT OLIVE  
PLANNING BOARD**

Public Meeting  
Thursday, September 10, 2020 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 September 10, 2020 commenced at 7 pm.

**The Pledge of Allegiance** was recited.

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

**Roll Call**

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

Excused: Mr. Forlenza, Ms. Mott

**Board Professionals** in attendance were:

Edward Buzak, Esq., Board Attorney  
Susan Crawford, Esq. Board Attorney  
Chuck McGroarty, PP/AICP, Board Planner  
Michael Vreeland, PE, Board Engineer  
Walter Lublanecki, PE, Traffic Consultant  
Mary Strain, Board Secretary

Audio and video technology and platform.

PB 19-25 Hunkele Equities, LLC, 160 Gold Mine Road, Block 4400, Lot 85

PB 19-28 Hunkele Equities, LLC, 160 Gold Mine Road, Block 4400, Lot 83

PB 19-29 Hunkele Equities, LLC

Mr. Weiss: We have some items on the agenda that I'd like to make some public announcements for, if anybody is here for the Hunkele Equities application which consists of PB 19-25, 19-28, 19-29, those applications will not be heard tonight. They will be carried to October 15<sup>th</sup>, Planning Board Meeting that will be held at 7:00 pm. Presumably and until further notice, will be done through the same format. Here at 7:00 via Zoom. There will be no further notice. Again, those Hunkele applications are carried to October 15<sup>th</sup> with no further notice.

PB 20-03 ZL Construction, LLC, 14 First Street, Block 3106, Lot 6

PB 20-04 ZL Construction, LLC 33 Netcong Road, Block 3106, Lot 19

Mr. Weiss: Furthermore, if anybody is here for the applications for ZL Construction namely PB 20-03 and PB 20-04 for properties located at 14 First Street and 33 Netcong Road, those applications will also not be heard tonight. They are carried to November 19<sup>th</sup>, 7:00 pm using the

same format unless otherwise noted. It will be carried to November 19<sup>th</sup>. There will be no further notice. Those applications will not be heard tonight. So if there is anybody here for any of those five applications, they are not going to be heard this evening. They are going to be carried with no further notice.

## Resolutions

Mr. Weiss: I have two Resolutions on the agenda for this evening. The first one, as you notice is the Resolution for the appointment of a conflict engineer. So let me explain why we need to do this. Very shortly we are going to have an application for up at the...inaudible...for a solar project. We've learned that Mike Vreeland and his firm had done some work done for the applicant, and it's caused a conflict. So for that application and for that application only, we need to hire what we are referring to as a conflict engineer. So, we have done our due diligence. We have a Resolution that we prepared. The resolution gives the Planning Board the ability to hire our conflict engineer, Mr. Joseph Vuich? Is that right Chuck? Vuich?

Mr. McGroarty: I think so, yes.

Mr. Weiss: And that firm from Finelli Consulting Engineering will be representing the municipality for the one hearing only when our engineer has conflict of interest. So that's why that's on the agenda, and that's what we're going to look to move. So we all have a copy of that. Do we have any other background information that we want to give, Chuck?

Ms. Natafalusy: The Resolution?

Mr. Weiss: Yes.

Ms. Natafalusy: I don't have that.

Mr. McGroarty: Wait, I don't know if everyone does, we were just working on that. Mary does everyone have that?

Ms. Strain: No, I didn't get the Resolution to everybody...inaudible.

Mr. Weiss: Say that again Mary?

Mr. McGroarty: There were changes...

Inaudible

Mr. McGroarty: There were changes being made. There were changes...let me explain. There were changes being made even up to today...with administration.

Mr. Weiss: Okay, that application is not next week, correct?

Mr. McGroarty: It is.

Mr. Weiss: So...

Mr. McGroarty: It is next week.

Mr. Weiss: We'll be able to approve the Resolution early in the meeting next week?

Mr. McGroarty: No, if you can...inaudible...Mary, the Board does not have the Resolution tonight?

Ms. Strain: No, I just finished it late this afternoon.

Mr. McGroarty: They need the Resolution tonight. They needed it tonight. The application is next week.

Mr. Weiss: Is it possible for us to...keep everything scheduled and review this Resolution prior to the hearing?

Mr. McGroarty: This is an attorney question, but...by the way, we're getting feedback...I don't know...

Mr. Westdyk: I think it's you, Joe.

Mr. McGroarty: Joe? Alright, I guess the question will be, can the Board vote tonight to authorize the conflict engineer and that let it be memorialized next week? And, and the reason why this is all last minute stuff is because we had the solar application on, that there was some question whether Van Cleef would be able to review it. There was a determination made that they would not and then we had trouble finding a conflict engineer or an engineering firm that...that could attend the meeting via zoom, and get the report done in time. So it's all kind of very last minute and the solar, the Solar Farm Application is on for next week. And there is...not...much desire to postpone that by the township, so...

Mr. Weiss: Inaudible...is that something that you'd like me to read into the record?

Mr. McGroarty: That would work, I think?

Mr Weiss: Okay because it's not very long. So let me read the Resolution into the record and from that, I think it's important that we make this determination if we're going to approve this Resolution. So let me read it. It's Resolution Authorizing the Award of a Non-Fair and Open Contract for Professional Services with Finelli Consulting Engineers Inc., for Conflict Engineering Services. Whereas Joseph R. Vuich, a professional engineer, professional planner, CME of Finelli Consulting Engineers Inc., has submitted to a proposal to the Planning Board of the Township of Mount Olive, further noted as the Board, to be retained as the conflict engineer for the Board, and whereas the submitted proposal is acceptable to the Board, whereas the Planning Board desires to enter into the professional services agreement with Finelli Consulting Engineers, Inc., to provide engineering services in connection with the application of PB 20-08 Mount Olive Solar Farm LLC, and whereas the anticipated terms of this contract is for September 1<sup>st</sup>, 2020 through December 31<sup>st</sup>, 2020 with rates attached. Now therefore be it resolved, that by the Planning Board of Mount Olive Township, that it does hereby retain Joseph R. Vuich, of Finelli Consulting Engineers Inc., as the conflict engineer, and does hereby authorize the execution of a professional services contract with

Finelli Consulting Engineers, in accordance to their proposal, and be it further resolved, that this Resolution and the contract shall be effective retroactive to September 1, 2020. So that's the Resolution at hand, I think...

Mr. Scapicchio: Howie, should you tell us what the rates are?

Mr. Weiss: I don't know if I have the contract. Mary so you have that?

Mr. Scapicchio: Okay.

Ms. Strain: I don't have that in front of me right now.

Mr. Schaechter: Can you just go over the dates one more time? Sounded like we had the same year in there.

Mr. Weiss: No, its fine.

Mr. Schaechter: September 1, 2020?

Mr. Weiss: From September 1, 2020, to December 31, 2020.

Mr. McGroarty: No, September. It should be September 1<sup>st</sup>.

Mr. Weiss: It is September 1<sup>st</sup>.

Mr. McGroarty: Inaudible... I'm sorry. I misunderstood.

Mr. Weiss: It is. It's September 1<sup>st</sup> through December 31<sup>st</sup>. And that the contract should be retroactive to September 1<sup>st</sup>.

Mr. McGroarty: But the...the fees are being paid of course, out of the escrow, not out of the Planning Board budget.

Mr. Scapicchio: I'll make the motion we approve that Resolution, Howie.

Mr. Weiss: Thank you, David.

Mr. Mania: I'll second.

Mr. Weiss: Thank you, John Mania. Have any comments, concerns, or questions? I see none. So, roll call please.

Roll Call:	David Scapicchio	Yes
	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: Thank you everybody for the understanding. We'll get that ready for next week's meeting. Correct, Chuck?

Mr. McGroarty: Yes. Thank you.

PB 15-20A Cholish, Leonard, 28-1 Bartley Road, Block 6900, Lot 29

Mr. Weiss: Okay. We have two other resolutions on the agenda tonight. The first one is PB 15-20A for Leonard Cholish, which was an extension request for his variance on 28-1 Bartley Road which was Block 6900 Lot 29. We all have a copy of that. Anybody have any questions or comments? If not, please move it.

Mr. Schaechter: I'll Move PB 15-20A

Mr. Mania: Second.

Mr. Weiss: Brian, thank you. Second by John.

Mr. Mania: John Mania, Second.

Mr. Weiss: John Mania, Second. All right is there any conversation? See none. Mary, roll call please.

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

PB 20-02 Erlandson, John & Lindsay, 14 George Street, Block 4407, Lot 22

Mr. Weiss: The final Resolution on the agenda this evening is PB 20-02 for John and Lindsay Erlandson for their variance at 14 George Street, Block 4407, Lot 22. Someone please move this Resolution.

Mr. Mania: I'll move it, Howie.

Mr. Weiss: Thank you John Mania. Someone second, please.

Mr. Nelsen: Second.

Mr. Weiss: Dan Nelsen, thank you very much. Do we have any questions? Concerns?  
Seeing none, Mary, roll call please.

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

Mr. Weiss: Yes. And Mary, just for the record, at the end of tonight's meeting I will have this emailed back over to you. I'll have all three of those Resolutions signed.

Ms. Strain: Thank you very much.

## **Development Application**

PB 19-14 NJ Foreign Trade Zone Venture, LLC, General Development Plan, ITC East, Block 105, Lot 1; Block 106, Lots 2 & 3, Block 202, Lot 1

Mr. Weiss: You're welcome. We have, we're left now with one developmental matter, which is PB 19-14, New Jersey Foreign Trade Zone Venture LLC, care of Rockefeller Group, which is a General Development Plan, at the ITC East. It is Block 105, Lot 1; Block 106, Lots 2 & 3; and Block 202, Lot 1. I suppose what we should do first thing is bring up Mr. Selvaggi and as its happening...I do see that there's quite a few attendees here from the public that are here for this application. So, let me kind of review once again, kind of like what I did last time without all the drama, I'll keep it much shorter. I just want to make sure Mr. Selvaggi can be on so he can hear what I say. So, as soon as...

Mr. Selvaggi: I'm here.

Mr. Weiss: Okay. Thank you, Michael.

Mr. Selvaggi: Hi, Mr. Chairman.

Mr. Weiss: So, what I wanted to do for the sake of the public is to remind everyone from the public once again what we're doing. This is a General Development Plan. It is done by statute. It is not a site plan, it is not a subdivision. Those details, if this General Development Plan is to be approved, it will be laid out and presented by the applicant at a time when he is ready to make such a site plan presentation. Couple of things that I have coming out of the last meeting. Just give me one second...I have a bunch of notes. Okay, the concept here is for the applicant to share the facts and nothing but the facts with the Planning Board and with the public as to what the intent that they would like to do. Not a forum for opinions. This is not a chat room. We have removed the question and answers option from the bottom, because this is a Planning Board meeting. Planning Board meetings have a little bit more structure. The way it's going to work, we

have heard from the experts so far and I believe we've left off listening to the planner and that planner will continue with some testimony. When the planner is done, I'm going open it to the public for any questions based on the testimony that the planner gave. You'll have an opportunity to ask questions, not the opportunity to give me an opinion, it's the opportunity to ask questions. And when we're done asking questions from the public from the planner, I'll turn it back over to Mr. Selvaggi, and we'll continue to move it through whatever experts are left, and at the very end of this application process, when all the applications when...when all the professionals from the applicant have been presented at testimony, the Planning Board has asked all their questions, I'm going to open it up to the public, for the public to give us any opinion, any comment that they have, based on anything that has to do with the plan. My best advice and suggestion is to keep your opinions...as that. If you have an opinion, we'd love to hear it. But when opinions start to become fact, I'll put a stop to it. Your opinion is very valued, but one of the problems is that we can't allow for opinions to become facts. The facts that be delivered by the experts, by the professionals, and will be recorded here and noted as such. So, as we go forward, Mr. Selvaggi, I just want to review that we are carrying our meeting from July 16<sup>th</sup>. And through that...through that hearing...we heard from different experts from your side and from...we have exhibits, ending with A-11. Is that correct Mary? I know you sent that out?

Ms. Strain: Yes.

Mr. Weiss: Michael, A-11<sup>th</sup> is the last one so...

Mr. Selvaggi: Yes.

Mr. Weiss: We'll start, if we have any more, they'll become A-12.

Mr. Selvaggi: Okay.

Mr. Weiss: I do believe that we ended with Mr. Phillips, testifying from his report of which there were some questions. And I know that those questions were answered in a report that Mr. Phillips sent back to the township dated August 26<sup>th</sup>. And I suppose those...that report when presented should answer the questions that we had from Mr. Phillips, after he was done testifying in July. Is that accurate Mr. Selvaggi?

Mr. Selvaggi: Yes. Yes, Mr. Chairman. Mr. Phillips, who unfortunately had a previously, scheduled vacation is not with us tonight, but he...based on the comments made by several of the Board Members, he provided a Fiscal Impact Analysis using the Rutgers Methodology which is a more conservative approach. And it did reduce the projected net revenue to the township and to the School Board. However, it still shows a positive net outcome. Although not to what Mr. Phillips had projected using the earlier methodology. So, I mean again, unfortunately he's not here. But, we do submit that it's still showing a positive result.

Mr. Weiss: Okay, and before we go any more forward, I just want to confirm. Susan Crawford, have you worked out your audio concerns?

Mr. Scapicchio: It's muted on my screen.

Mr. Weiss: It's muted here, too. How about if you touch your space bar, Susan? Does that help? Try to speak now. Is your volume up? I think...I think it's very clear and obvious, we really can't proceed unless we have the ability to communicate with our own attorney.

Mr. Westdyk: Howie, if I may interrupt?

Mr. Weiss: Go ahead. Go ahead Dane.

Mr. Westdyk: Susan, on your cellphone, on the keypad, if you hit \*9, that'll raise your hand and I'll be able to see...there you are...hold on. You are now allowed to speak through your phone. Technology...IT guy.

Mr. Weiss: Is it working?

Mr. Westdyk: I see her but now...

Mr. Nelsen: She's muted.

Mr. Westdyk: I'm trying to unmute her, but it won't unmute her.

Mr. McGroarty: I'm texting Ed, also.

Mr. Ouimet: Can she Zoom through her phone?

Mr. Westdyk: Well she's calling...

Ms. Crawford: Can you hear me now?

Mr. Weiss: There you are.

Ms. Crawford: Can you hear me now?

Mr. Weiss: Yes. We can hear you Susan, thank you.

Ms. Crawford: Okay, Great!

Mr. Westdyk: Can you turn your speakers off, Susan?

Mr. Weiss: Susan, so if you could turn your speakers down on the computer.

Ms. Crawford: Yes, we have an echo.

Mr. Weiss: That seems to have worked. Okay, is everybody good? Susan, give me one more sound check..

Ms. Crawford: How's that?

Mr. Weiss: Okay. That sounds great. Michael, thanks for the patience on that.



Ms. Crawford: Thank you. Sorry about that.

Mr. Weiss: Inaudible...comments.. I think that if there is any objection to what I have said Mike let me know.

Mr. Selvaggi: No, no, as I said, Mr. Chairman, unfortunately Mr. Phillips isn't here. We have his report. Also too, I do want to apologize. There was an environmental issue that Mr. McGroarty had raised, in one of his earlier reports. The applicant did submit an EIS, which in part we intended to address those...those issues. Unfortunately, the report wasn't submitted until a few days ago. I don't know if Mr. McGroarty has had a chance, it was rather lengthy to review it. So I...I think what we'd prefer to do is not...you know...begin testifying as to the contents of the report until Mr. McGroarty has a chance to familiarize himself with that.

Mr. Weiss: I don't think you'll get any objection, Mr. Selvaggi, because I didn't want to go any...go forward with that without an opportunity for us to address it. The concerns for Mr. McGroarty seem to be fairly straight forward so without having that, I don't think the Board can really vote on it. And, and I'm glad we agree upon that. But we do have some other issues. Let's start...

Mr. McGroarty: Well, Mr. Chairman?

Mr. Weiss: Yes.

Mr. McGroarty: Let me just note though. I did get a revised report, actually we got two.

Mr. Selvaggi: Yes.

Mr. McGroarty: One for the Crossroads Site and the other for the other two tracks. I did review them, and I did submit my comments saying that the Cross...the EIS that was done for the Knoll Site and the Canal Site did not respond to the comments that I had back in January. I was waiting for a revision to that EIS and we haven't gotten that.

Mr. Selvaggi: Yes, So that's...so we...we need to address that and to the extent that there are open issues we will do that. So, Mr. Chairman, I think the...that really the two issues that perhaps we can address tonight and I have Ken Grisewood who's also available, is there were concerns raised about the southern, the southeasterly portion of the property which had been used as a stump field, if you will. And our Geotechnical Report confirmed that and the applicant will agree as a condition of any approval of the GDP that before that property is going to be made available for recreation, it's not available for any building, but we will do whatever's necessary to stabilize it to make certain that that is, in fact, a safe area. I mean, I think the Board's and the township's concerns align precisely with the developer's concerns on that as well. So...you know...I hope that...that issue will take care of it. I mean we're not denying that there's not an issue with the stump field. And the only other thing that we would hope to perhaps get some clarity tonight, if possible, would be...there were three alternative approaches presented for the apartments at the Crossroad Section. I don't know if the Board had an opportunity...I know some members expressed a desire to visit the site. I don't know if that was done. But, if not, I don't know if the

decision on what alternative approach to adopt is dependent upon the site visit, but that would be probably perhaps the one remaining open issue that we can perhaps address this evening.

Mr. Weiss: Okay, well, I...I appreciate your handling of that open space with the stumps. Chuck, I think that made that pretty simple for us because that is a concern you and I spoke about.

Mr. McGroarty: Right...right.

Mr. Weiss: I appreciate that and being that we are going to meet one more time to discuss the EIS that maybe between now and then and before we close this evening, that we can come up with a date to schedule the site walk. We most likely have to note it to the public because there'll be a quorum and let's see if we can work that out before we end tonight's session. I think as far as...did you want to go over at all Mr. Phillip's report? Or Chuck, did you want to highlight anything on Paul's report that might have been a concern to us?

Mr. McGroarty: Mr. Chairman, I see that Mr. Buzak has joined us also. I reviewed Mr. Phillip's report. I have no other comments or concerns. He addressed the questions that we raised.

Mr. Weiss: Okay, I know that some of the issues at the time, and I'm going to go back to my notes, had to do with school and I know that you said that you used...a new, Michael, he used a new...Rutgers Multiplier.

Mr. Selvaggi: Yes, he has. Which Mr. Schaechter had pointed out was one that the school had used so we did that and...again the numbers were more conservative and lower but again they were still showing a net positive.

Mr. Weiss: Okay, Brian did you get a chance to review Paul Phillip's report with the Rutgers item? I'm not sure...if you had a chance?

Mr. Schaechter: I've not reviewed it yet.

Mr. Weiss: Okay, well that's the data that Mr. Phillips got back to us using the multiplier that we kind of eluded to at the time of our meeting. I'm not sure how much time we need to spend on that. It is there. It's in writing. Chuck you had, just to confirm that you reviewed it and don't have anything...no comments on that?

Mr. McGroarty: My only comment is I think his analysis...I mean...that uses the Rutgers Model which you know is more generic than the more specific information that he used from the census data for our area. And it's...there's nothing to say. I don't think there's any...there's certainly no problem with the data and his analysis...from my view anyway.

Mr. Weiss: Okay, I know I have a little checklist here of other things. But Michael, I'll let you tell me where you want to go next.

Mr. Selvaggi: I...you know...I don't want to get too...inaudible...if we're coming back and you believe, Mr. Chairman, that Board Members want to visit the site...you know...before any

other decisions are made. Quite frankly...you know...let's schedule the site walk and we'll notice for it and just do it that way.

Mr. Weiss: All right. Well let me just make sure. Everyone from the Planning Board if you're interested and think it's necessary that we do a site walk and walk the property...and I guess Mike, somebody from the Rockefeller Group would lead such a tour?

Mr. Selvaggi: Yes, I think Zack is on this call as well, and I think he would agree to make sure it's either him or somebody else from the group.

Mr. Weiss: Let's just make sure...just by a show of hands from the Planning Board who would be interested in such a tour? I have one, two, three, four, five...okay, so let's schedule that. We need certainly 10 days to notice it. Today is...

Mr. Selvaggi: Well, yes, the newspapers are so backed up and so limited staff. I mean think really to make sure we give ourselves enough time, Mr. Chairman, I think...you know...the week of September 28<sup>th</sup> would be probably the earliest we'd want to do this. So, I don't know if sometime that week works for Board Members?

Mr. Schaechter: Hey, Howie? If we break it up into two groups, then we don't have to notice the public...

Inaudible

Mr. McGroarty: If you have five members we have a quorum.

Mr. Schaechter: Right, but if we break it up over groups we won't have a forum.

Mr. McGroarty: Well, you'll have five and four.

Mr. Weiss: Well, I can tell you I certainly don't need to walk the property again. I've been there multiple times.

Mr. Scapicchio: I'm not going to walk the property.

Mr. McGroarty: And I think the concern, I think it's the Crossroad Site that is particularly concerning. And maybe the south end but Mr. Selvaggi has explained that they'll stabilize that so...

Mr. Selvaggi: Look, maybe...why don't we just do this, I mean why don't we notice...set a date, notice, and if only three people show up, there's no harm in noticing it as opposed to trying to...you know...accommodate everybody's schedule. I think that's safer.

Mr. Weiss: All right, I think that's probably the...is there a date? Maybe is there a week date morning? A week day afternoon? I'm just going to throw a date to start a conversation. I know you said the week of the 28<sup>th</sup>. I was even jumping forward a little more maybe the week of October 5<sup>th</sup>? Monday morning the 5<sup>th</sup>? Monday morning the 28<sup>th</sup>, works fine.

Mr. Selvaggi: That's fine for us. October 5, is fine. If the Board Members want to do 10:00...

Mr. Weiss: Okay. Let's do that. Unless...I'm looking at the Planning Board lets set it for 10:00 in the morning October 5<sup>th</sup>. We'll notice it. The public obviously will be invited, correct Mr. Buzak?

Mr. Buzak: That's correct.

Mr. Weiss: So we'll put it in the paper for October 5<sup>th</sup>. Let us, where do you think would be a good place to have this meeting? Would it be at the southern end by Route 46? Or...where is there a good site that we know we could all find each other?

Mr. McGroarty: I have a suggestion.

Mr. Buzak: We need to describe the location of the meeting. So, keep that in mind when you assemble.

Mr. McGroarty: I was going to do that. What I would suggest is that we...the Board meet at the parking lot of the extended stay facility up there....which is directly across from the Crossroad Site. It's a safe place for everybody to park...inaudible.

Mr. Selvaggi: That's fine.

Mr. Ottavina: The Holiday Inn?

Mr. McGroarty: The Holiday Inn and it's the Marriott Extended Stay. So, it's that big large parking lot.

Mr. Selvaggi: The Holiday Inn, 10:00, on the parking lot.

Mr. McGroarty: So, Holiday Inn is the better...

Mr. Selvaggi: Yes.

Mr. McGroarty: For the purpose of an identification. Paul's got a good one...

Mr. Selvaggi: All right.

Mr. McGroarty: Holiday Inn.

Mr. Weiss: All right. So, before we confirm a date, I did throw out a Monday morning, but is a Saturday morning better for other folks?

Mr. Mania: It would be better for me Howie because I work.

Mr. Selvaggi: So do you want to do October 3rd?

Mr. Mania: Is that, is that a Saturday?

Mr. Weiss: That's a Saturday.

Mr. Weiss: We might get...it might be a little easier for members of the public who wanted to join on a Saturday.

Mr. Selvaggi: All right. We'll do October 3. That's fine.

Mr. Weiss: Okay, October 3rd, 10:00 in the morning.

Mr. Selvaggi: Oh wait a minute, hold on...I've just been notified that we can't do...I can't get a representative from Rockefeller there on the 3rd.

Ms. Natafalusy: What about the 26<sup>th</sup>? The week before?

Mr. Selvaggi: The...you mean the 26<sup>th</sup>?

Mr. Weiss: Of September...

Ms. Natafalusy: Yes, September 26<sup>th</sup>, the week before.

Mr. Selvaggi: Oh, okay, that Saturday?

Mr. McGroarty: I mean...yes, just let me...

Mr. Westdyk: Howie, Zachary has raised his hand, should I allow him to speak?

Mr. Selvaggi: Yea let him speak. It's easier to coordinate through him.

Mr. McGroarty: Well, let me...before we do that, Mr. Chairman?

Mr. Weiss: Go ahead, Chuck.

Mr. McGroarty: If you feel...you know...if it doesn't work out that someone from Rockefeller can't be there, I've been on all three sites plenty of times so...and I know the plans so...there's not a lot to see other than the terrain itself but...

Mr. Weiss: Yes.

Mr. McGroarty: That's your call.

Mr. Weiss: Chuck, that's very helpful. Let's see what Zachary has to say and if not we can go back to that first date of October, the...

Mr. Westdyk: Zachary, are you there?

Ms. Natafalusy: Third.

Mr. Weiss: Third. Thank you, Catherine.

Mr. Csik: Yes, Good Evening everybody. Are you guys getting echo?

Mr. Weiss: No, it's okay.

Mr. Zach: Okay, I'm sorry the 26<sup>th</sup> and the 3<sup>rd</sup> do not work for me on Saturday morning. I can make either Monday morning work. That were put out there, but those Saturdays don't work.

Mr. Weiss: Well, I think what we should do, just to respect the public a little bit more and not make an assumption. I kind of like the fact, Chuck, if you could...you could walk us through it, let's do October 3<sup>rd</sup>, which is a Saturday, 10:00 am. And Zachary, thanks for that input. I think for the purpose of the Planning Board and the members of the public that want to be there, October 3<sup>rd</sup>, 10:00 am over at the Marriott Extended Stay Hotel parking lot, for the purpose of doing a site walk, to a see firsthand the terrain of the property, the layout or each of these different buildouts are going to occur. Chuck has offered to lead the way.

Mr. McGroarty: Question then to Ed. Ed it's our responsibility then to notice when the Planning Board meeting. Am I correct?

Mr. Buzak: That's correct.

Mr. McGroarty: All right. So we'll have to do that. We have time...we have 48 hours?

Mr. Buzak: Well, its 48 hours, but it's got to be given to the papers, so they can publish it 48 hours in advance...you know...

Mr. McGroarty: We'll do it tomorrow.

Mr. Buzak: We'll have plenty of time to do that.

Mr. McGroarty: We'll do it tomorrow.

Mr. Buzak: Get the notice out quickly, so it's there.

Mr. Weiss: Okay, so that's going to be at the Extended Stay parking lot, at the Marriott over at the International Trade Zone and we'll meet there, we'll park there, and start the walk there at the upper end of the development.

Mr. McGroarty: Yes, Mr. Chairman, as Paul said, let's call it...for the purpose of the notice well call it the Holiday Inn, I think people will see it better.

Mr. Weiss: Holiday Inn Express, correct. So let's park right over there at the Holiday Inn Express, in the International Trade Zone. Okay, and that we're going have for Saturday October 3<sup>rd</sup>, 10:00 am.

Mr. Weiss: Okay. So, that bit of business done, We have agreement that we're going to hold off on any kind of testimony to the EIS until...we'll come up with another date before we end this tonight. And Michael, I'm not sure if you have any other...any other testimony.

Mr. Selvaggi: No, I think it would be premature to do that and we're better off having this done, return, have all the issues on the table. Mr. McGroarty will address his and we can wrap this up in a meeting in November.

Mr. Weiss: Okay, so...

Mr. Selvaggi: Or October.

Mr. Weiss: I know that we have our traffic expert is here, and I know Walter has presented a report. I'm not sure if we needed to review that at all. Walter, I'm not sure if you had to make some comments to it. Michael, if you wanted to review it with Walter here...we can talk about it there.

Mr. Lublanecki: Yes, these are...

Mr. Lavery: Mr. Chairman, Mike Lavery stepping in for Mr. Selvaggi....

Mr. Weiss: Good evening, Mr. Lavery. Very nice to see you.

Mr. Lavery: Good to see you, Mr. Chairman.

Mr. Weiss: Walt, go ahead.

Mr. Lublanecki: Yes, this particular report that I did basically are suggestions. What I'd like to see in a final traffic study. What it's finally....when that study is finally conducted and the report is prepared.

Mr. Weiss: So when the applicant...

Mr. Lublanecki: If anyone...if they have any comments about it, or their traffic engineer I know he's not here tonight, but they certainly can call me if they have any questions about it.

Mr. Weiss: Okay, and being that we're looking at a General Development Plan, the applicant certainly has your input when it comes to site plan. So I guess Mr. Lavery, will note that Mr. Lublanecki's Traffic Report is delivered and as your client starts to develop the plan he can refer to that as he develops his site plan.

Mr. Lavery: We'll do. Thank you Mr. Chairman.

Mr. Weiss: Okay. I have some other issues I think Chuck and I were discussing what might be open. I think we need to really kind of grind out a phasing plan. You know, I think it should be part of the General Development Plan, and so I just wanted to have that conversation to see if there's a little better direction from the applicant as far as what he has in mind when it comes to phasing.

Mr. Lavery: All right let me grab...I'm going to have to grab Mr. Selvaggi for that Mr. Chairman, so if you'll give me...

Mr. Weiss: Okay, Sure.

Mr. Lavery: Just a minute. Thank you.

Mr. Weiss: Sure. That's okay, Michael, thank you. And Chuck, do you want to share some concerns that we had while we're waiting for Mr. Selvaggi?

Mr. McGroarty: Well, I think that...and perhaps they can address it in the final meeting as well. They have addressed some of it, but as you and I Mr. Chairman, were talking about it at one point, these are three separate tracts. Each tract will have its own affordable housing obligation requirement so that...and that's important to note. The affordable units are not going to be concentrated on any of the three tracts. They are going to be distributed accordingly to each site. Twenty percent of the development of each site will be the affordables. Just some of the things that we were a little unclear about because it's been...we resolved the fact that the Crossroads Site will be part of the overall development with respect to people having access to open space and such and the recreation area. But, if the...like for example, if the Crossroads Site gets built first, and the other sites don't come along for a couple of years, how do those people then benefit from the open space, and the recreational facilities that would be developed on the Knoll Site? So, and I realize it's very difficult for Mr. Selvaggi and his team to predict exactly how this thing is going to work, in terms of the market. But I think that we need to have some idea. Certainly too, the build out...and Mike will get into this...Mike Vreeland, as no doubt as he gets further into the analysis, and with all of the infrastructure improvements that have to be done. Likewise with Walt, I mean the traffic analysis, really has to take into account all three tracts. So it's just we'd like to get a better sense of how this is going work because it's our understanding that there's one developer lined up to do the market units on the Canal Site and the Knoll/Ridge Site. If it's the same...if that developer is the one that we've been told will do it, it is my understanding that developer does not build apartments. So that will be someone else coming in to do the apartment units and the affordables. So, it's a little unclear about that. And then there's a separate developer all together, apparently that will take care of the Crossroad's Site. So, there's going to have to be a lot of coordination which we don't have to iron out all the details now, but I think it'll be helpful to know if the applicant has any sense of how they intend to market this and how they intend to see this developed.

Mr. Weiss: Okay. Michael Selvaggi, I'm not sure how much of that you heard, but we just wanted maybe see a phasing plan with a little more detail. Especially in light of the fact that there might be multiple developers and it could span over x amount of time, we just want to see how that will all coordinate.

Mr. Selvaggi: That's fine. We can discuss that and come back with a proposal that works. Or again, it would be a proposal.

Mr. Weiss: Perfect. Yes, we'd like to see that obviously you can send it and give it to us so that we can review it and have good positive conversation when you come back. It should leave...I can't imagine that's it's going to take a lot of time for us to review those EIS questions, to come up with a phasing plan, I don't really have anything else. We've addressed a couple of other



ones, certainly the geo-tech situation, and the stump field. Phasing was a concern of mine. Inaudible. We've addressed part of them and of course our site walk has been addressed. So, I don't have anything else that I wanted to chat with about.

Inaudible.

Mr. Weiss: Just wanted to make sure that we've addressed those open issues that we see. Catherine, do you have a question?

Ms. Natafalusy: Yes, can we...can we talk about the Crossroads Site? The Concept Plan that they had? I don't know if they are proposing using Concept Two, but I have a question. The fitness center and the club house are in one building, on the Crossroad Site. And that building is 34 units. Michael, do you know if that...are those where the affordable units are going in that...on that site or are they going to be distributed through the whole other five buildings or whatever.

Inaudible

Ms. Natafalusy: Is that coincidental that the number is 34?

Mr. Selvaggi: Yes, no it's coincidental. As we discussed the affordable units will be spread out throughout the project.

Ms. Natafalusy: Okay. Also, the tot lot location, I don't know if the Board has had a chance to look at that on that concept plan but its sitting right next to a detention basin. I don't think that's a good place. I don't think the open space on that lot is good at all. I mean, I think it's...it's sloped property, just...but maybe a better location is within the interior if this is the way it going to go.

Mr. Weiss: Okay. So, Michael those are kind of concerns, maybe we'll take a good look at that when we come back...

Mr. Selvaggi: Well yes, I think that is one of the reasons why we were going to do the site walk, to help address that...those issues. So you'd have a better perspective as to how it's going to be laid out.

Ms. Natafalusy: I think...

Mr. Weiss: We have to understand too, Catherine, as we get to site plan if these elements are close to situations that we feel are not quite appropriate, I believe that would be the most appropriate way to address it. I don't want to...steal your thunder. But you've made it clear that's a concern. We'll take a look at it on the site walk and...certainly can address it when it comes to site plan.

Ms. Natafalusy: Well what we're talking about the open space that there proposing we'll discuss that before the General Development Plan is proposed for...you know approval?

Mr. Weiss: Well the recreation plan if I recall, is on that southern end by Route 46?

Ms. Natafalusy: Yes, but on the Crossroad Site, they do have a dog run. They've got...I don't know...a couple other small recreation areas. But it's just...honestly...I don't think that property is suitable for housing units. I really don't. It's surrounded by highways...it's...I have a real concern. We'll put it that way.

Mr. Weiss: Okay. Well looks like Mr. Lavery is listening.

Mr. Lavery: Yes.

Mr. Weiss: Okay. Anything else Chuck, that you think we might want to address this evening?

Mr. Ottavinia: Howie?

Mr. Weiss: Yes, Paul?

Mr. Ottavinia: If I could just throw my two cents in there now. I know there was three different proposals on that Crossroads Site. Just something to keep in mind, is emergency services response. As you know we have a lot of apartments in town already, and on the regular...the police and ambulances have trouble...you know...whether it be finding an actual building, finding an actual door, and what have you. So I'm just kind of throwing it out there, just something to keep in mind. God forbid there is some type of emergency...you know...police, ambulance, fire, whatever it may be...you know...setting it up. Whether it just simply be the order of the buildings and the way they are numbered, so that you can get emergency services there quickly and efficiently. Just throwing that out there to keep in mind. That's all.

Mr. Weiss: I see Mr. Lavery shaking his head which means he hears you. Paul, let me ask you a question and follow up with that. Take a...keep in mind the...the Regency Concept...Complex with the affordable housing apartments. How does that work out for the town? Is that good, bad or...how do you look at that? Cause that might be a good way to just kind of create a template for the next developer.

Mr. Ottavinia: You talking about down Marveland Farms? That's Regency, right?

Mr. Weiss: Yes, the old Marveland Farm.

Mr. Ottavinia: I like it because you pull in there, and its three buildings in a...you know...

Mr. Weiss: Horseshoe.

Mr. Ottavinia: Three quarters of a circle, and its simply just you just drive around and...you know...the building numbers are kind of in order. Compared to let's say like Brock Lane, which again is a small complex, but on the regular...guys go up there and go, it makes no sense. The building orders are all out of sync, certain buildings, you can't...aren't even...like you get to the doors, you have to park and then walk through the interior...you know...courtyard to find doors. And even all the other apartments...you know...many of them, you know doors are around the back...you know...not easy to get stretcher or equipment if it's an ambulance assist, or God forbid a fire, so just something to keep in mind as far as the layout, proximity of doors to parking lots, and

even just simply, even if you were to just number the buildings in a clockwise fashion so that when police or ambulance pulls in they know, hey this one's Building One, and the next one is...just start driving clockwise, and you'll eventually get to the building number you need. Versus the...you should see it...it's funny...especially like Oakwood, some of the bigger ones, guys drive around there, even experienced officers drive around there for minutes, finally figuring out. Oh yes, that's where they stuck this Building Number 70 all the way over here by the 30's. You know...it doesn't make sense. So just again, something to keep in mind. But yes, the Regency is efficient.

Mr. Weiss: Yes, when Regency developed or in the process of being planned, we did get good input from EMS, from fire, I think Freddy at the time, worked with us. And so perhaps as I send it over to Mr. Lavery, there is some nicely planned developments in town, and so the concern here is let's make sure that it makes sense and we can certainly direct you to the ones that Mr. Ottavina has been referring to. For the reasons that he's discussed from a safety perspective, let's make sure that the layout makes sense when we get to it.

Mr. Lavery: Understood.

Mr. Weiss: Okay.

Mr. Schaechter: And don't use the Flanders Crossing Model.

Mr. Weiss: No. Don't do that at all. Nope, like we said. Paul, Regency was well planned out and we had great input that we probably hadn't done in previous developments, with EMS. Okay. Do we have anything else that we need to discuss this evening? I don't see anything, so although we haven't had testimony tonight, I want to see...I want to open it to the public for very specific concerns. If anybody has any questions about the process and what's going to happen, we're going to eventually as soon as we're done with this portion of the meeting, we're going to come up with a date to reschedule. We will then carry this meeting from that point on to discuss the issues that we discussed here tonight. So, if anybody from the public, and I see there is one hand raised but I do believe that's Susan...if anybody from the public has a question about the process, no opinions...we didn't hear testimony, so there's nobody to question. If anybody has a question about what the process is going to be, what's going to happen, I invite you to raise your hand on the screen. I will call on you, address your concerns and your questions. I do encourage you to remain factual, in your local chats and conversations with your neighbors. It'll make this process a lot smoother. And I'm stalling for time...I don't see anybody from the public, having a question regarding the process.

Mr. Westdyk: Me neither, Mr. Chairman.

Mr. Weiss: Go ahead.

Mr. Westdyk: Me Neither. I don't see any hand raised.

Mr. Weiss: I'm going to give it one more look to the very bottom of our list. And I don't see it either. So with the exception of Susan, I see no other hands raised. So, let me close it to the public, and let's take a look at the schedule. I know that Mary sent me a copy today of the upcoming schedule. So, let's see if we can come up with a date that works. Of course, now that I can't find it...do we have a date that would work? Mr. Lavery?

Mr. Lavery:                    Whatever is convenient for the Board. We'll make ourselves available, Mr. Chairman.

Mr. Weiss.                    Okay. Mary, I'm so sorry I know you sent me that. I filed it...hold on, I know where I'm going to find it.

Mr. McGroarty:            What do we have on the 12th of November, Mary?

Mr. Weiss:                    There we go. I have it.

Ms. Strain:                   We have two variances, 442 Drakestown Road and 36 Main.

Mr. Weiss:                   I don't think that's unrealistic to put this application on November 12<sup>th</sup>.  
Chuck, do you agree?

Mr. McGroarty:            Yes, Mr. Chairman, I agree. I think that those two variances...I think they'll fit...that it'll all fit.

Mr. Weiss:                   Okay. So let's do this. Let's carry this hearing through November 12<sup>th</sup>, 2020 7:00 pm via the same method...that's Zoom unless otherwise noticed...will be Zoom. There will be no further notice. This meeting will be carried until November 12<sup>th</sup> at 7 pm. It will be run exactly like I just mentioned via Zoom...a virtual meeting, no further notice. Mr. Buzak, how is that? We covered?

Mr. Buzak:                   That's fine Mr. Chairman. Yes, I was just going through my list of members who were present tonight, I apologize for being late...I was just thinking about the site visit aspect, and the fact is actually a meeting...which it is...and what impact the lack of participants at that meeting may have on the ultimate disposition of the case. You know, typically all members have to be present at all meetings in order to vote ultimately on the application. And...you know...site visits, my recollection is and I haven't really participated in any in Mount Olive, but it's usually...it's not a meeting so to speak because we have less than...less than a majority doing site visits. Therefore, there's not...there's not a meeting, there's not minutes taken and so forth. Although there could be a report as to what happened. I'm trying to figure out now, and I don't have an answer for you. If we have a site visit, and we have a majority that's actually at a meeting and let's say you know five members show up at the meeting and the other four...you know...we have a couple of alternates as well...don't show up, how do they rehabilitate, themselves? You know, there's not a tape to listen to, there's not a disc to listen to, there's not...you know...a transcript to review, the minutes are inadequate. No offense to Mary. The law doesn't allow you to do minutes to say okay, that rehabilitates you. So I have some concern about that. And it just came up as I went through the list because we have...you know...Mr. Scapicchio, at least according to my list was not at the first hearing in July, I don't know if he listened to the tapes of that meeting and would be rehabilitated. Kim was at the first one, but is not here tonight as far as I can see. Mr. Forlenza was at the first one but is not here tonight. So as I started looking at the list and started narrowing down who can vote on this thing, I didn't want to get us into a situation where we'll wind up not having sufficient members, or members who want to vote are unable to vote on it. I wish I had an answer, other than if there's no meeting when there's a site visit, than I don't think that there is a problem. People can get the report that can be put on the record, but there is no rehabilitation

necessary. If there is a meeting, I have some concerns about that, even though it's not a hearing so to speak.

Mr. Schaechter: Mr. Chairman, can I suggest something?

Mr. Weiss: Go ahead, Brian.

Mr. Schaechter: Since Chuck is going to do the walk through with us on that date in October, can we just contact Chuck maybe, or if Chuck wants to throw out a couple days, we could sign up keep it under...you know...let's say three members at a time, this way we can walk through and it's just open. We don't have the hassles of going through the meeting. For those that want to walk the grounds.

Mr. McGroarty: That's fine with me.

Mr. Buzak: That would certainly solve the problem...you know...it puts a burden on Chuck. But...

Mr. McGroarty: No burden, that's a good suggestion. I'm perfectly fine with that any time.

Mr. Weiss: Well, maybe that's a better thing to do, Chuck. Why don't we send out some dates that would work? Throw out a couple of mid-week dates, a weekend of the 13th would work, and...

Mr. McGroarty: What about the public? Is the public...?

Mr. Weiss: That was going to be my follow-up.

Mr. Buzak: There's no need because we are not having a meeting, so...

Mr. McGroarty: Okay.

Mr. Buzak: There's no notice for that and there's no need to invite the public. And I'm not trying to keep the public out of it, I'm just saying...

Mr. McGroarty: Right.

Mr. Buzak: We'll go from that perspective and then we'll have people just report at the next meeting as to...you know...what they observed on the site visit and that's it.

Mr. Weiss: Okay. That seems to be a legally better case so let's just scratch the October 3rd at 10:00 am. Chuck, I take it then the next couple days you'll send out a note to the Planning Board offering a couple dates that work for you.

Mr. McGroarty: I'll take care of that tomorrow, Mr. Chairman.

Mr. Weiss: Okay. Ed, thanks for that input.

Mr. Buzak: You're welcome.

Mr. Weiss: I think that we should also copy Mr. Selvaggi's office in case anybody from Rockefeller would want to attend or do you suggest not, Ed?

Mr. Buzak: Sure. No, no that's fine. I'm just concerned about Board Members, number of Board Members.

Mr. Weiss: Okay. So Mr. Lavery, could you let Mr. Selvaggi know that we'll copy you on the list of when the site walks will be.

Mr. Lavery: Thank you, Chairman.

Mr. Weiss: My pleasure. Okay. Well that being said, if there any other business anybody else have to say anything about this? Otherwise we'll adjourn it until...we're going to carry this until...I made a note...I don't even remember what I said..

Mr. Buzak: November 12<sup>th</sup>.

Mr. Weiss: November 12<sup>th</sup>.

Mr. Buzak: 7:00 pm.

Mr. Weiss: November 12<sup>th</sup>, 7:00 pm. Right here, no further notices. All right, thank you Mr. Lavery on behalf of Mr. Selvaggi.

Mr. Lavery: You're welcome. Thank you.

Mr. Weiss: And according to our agenda we have nothing else on the agenda, unless anybody has any other business? And I see none. I'm going to make a motion to adjourn.

Mr. Mania: So, moved.

Mr. Schaechter: Second.

Mr. Weiss: Who so moved that? Was it Mr. Mania?

Mr. Mania: Yes.

Mr. Weiss: Thank you, John. Second by Brian. All in favor?

All: Aye.

Meeting Adjourned at 8:06 pm  
Transcribed by: Karen Grill

May Stain

Signature

February 18, 2021

Planning Board Meeting date approved