

**TOWNSHIP OF MOUNT OLIVE
PLANNING BOARD**

Public Meeting
Thursday, May 21, 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 May 21, 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, Mr. Forlenza, Ms. Mott, Ms. Natafalusy, Mr. Mania, Mr. Nelsen, Mr. Ottavina, Mr. Batsch, Mr. Ouimet, Mr. Weiss

Board Professionals in attendance were:

Edward Buzak, Esq., Board Attorney

Chuck McGroarty, PP/AICP, Board Planner

Mary Strain, Board Secretary

Mr. Buzak: Mr. Chairman, before we go any further. I know we read the Open Public Meetings Act Statement, which was the normal statement that we read. But we should also note because this is a virtual meeting, I'll read a little something that we have actually have in our notices to people within 200 feet. And I don't know if Chuck or Mary have any further notice language that was posted on the bulletin board or sent to the newspapers regarding the virtual meeting...

Mr. McGroarty: Mary, you have that, right?

Ms. Strain: Yes, I do.

Mr. Buzak: Can you just read that portion that probably begins with Please Take Notice That Due to Covid 19. I don't have it in front of me, I'm sorry. I thought I did.

Mr. Strain: No problem. I have please take notice, that in accordance with the Open Public Meetings Act State of New Jersey and more specifically...then it states the codes. authorizes the use of communications equipment to hold public meetings, and in consideration of Executive Order 103 in parentheses 2020 as extended by Executive Orders 119 and 138 and Executive Order 107 issued by Governor Philip Murphy and guidance provided by the New Jersey Department of Community Affairs, Division of Local Government Services, the Planning Board of the Township of Mount Olive does hereby notify the public that to protect the health, safety and welfare of our citizens, while ensuring the continued functioning of government, and then I have the previously noticed May 21, 2020 meeting of the Planning Board of the Township of Mount Olive shall be conducted remotely/virtually at 7:00 pm using the Zoom audio/video technology and platform.

Audio and video technology and platform.

Mr. Buzak: Okay, and that...the Zoom information was then contained...

Ms. Strain: Yes, and then it said the meeting agenda, applications, and gave all the information after that.

Mr. Buzak: Okay, thank you. Thank you Mr. Chairman.

Ms. Strain: Thank you.

Mr. Weiss: You are done with roll call? Right, Mary?

Ms. Strain: Yes, thank you.

Mr. Weiss: We are going to skip Committee Reports at this point, unless somebody has something that's time of the essence. And so I see nothing. Let's move on to our Resolutions that are on the agenda.

Resolutions

PB 19-01 364 Route 46, 364 Route 46, Block 8200, Lots 5 & 6

Mr. Weiss: The first Resolution is PB 19-01 which is property located at 364 Route 46 LLC. It's a use variance for the amended final site plan, Lots 5 & 6, 364 Route 46, otherwise known as Subaru. We've all had a copy of it. There was no change to that one, correct Mary? Only the other one had a change to it?

Ms. Strain: Correct.

Mr. Weiss: No changes. We've all had an opportunity to review it. Anybody have any...anybody like to make a motion on this one for us?

Mr. Nelsen: I'll make a motion to approve Planning Board Number 19-01.

Mr. Weiss: Yes, that's correct.

Mr. Nelsen: I'll make a motion to approve.

Mr. Weiss: Thank you, Dan.

Mr. Scapicchio: Second.

Mr. Weiss: Second by David. Thank you, David. Is there any comments or questions? I just have a common...I know Chuck, maybe you can just bring us up to speed. I see that they are fully operational at this point. I know usually the applicant needs to wait until the Resolution. Was there any situation at hand that gave them special permission to do it? Because that parking lot is loaded with cars. I don't think it's been paved but they're operational back there.

Mr. McGroarty: Yes, I mean from the beginning he's been operational before he got to the Board. Long history, but the short version is that I told him he couldn't do it. He sat down with us and the Mayor and as long as he was filing the site plan, he was allowed to stay and basically he stayed there even through the hearing process. Now he has it and there are... in this Resolution there are milestones he has to meet, or time tables he has to meet moving forward with the improvements on the site. But, yes, he was allowed to keep the cars on the lot.

Mr. Weiss: I thought that was the case. I just wanted to discuss that.

Mr. McGroarty: Right.

Mr. Weiss: Anybody else have any comments, questions? Seeing none, Mary, roll call please.

Roll Call:	David Scapicchio	Yes
	Brian Schaechter	Yes
	Kim Mott	Yes
	Catherine Natafalusy	Yes
	Dan Nelsen	Yes
	Joseph Ouimet	Yes
	Howie Weiss	Yes

PB 19-10 Waterloo Road Development, 20 Continental Drive, Block 106, Lots 1, 1.0

Mr. Weiss: Okay, the next Resolution on the agenda today is PB 19-10 Waterloo Road Development, LLC, for the amended and preliminary site plan for their property located at 20 Continental Drive. This one remember was amended or revised. Mary set out two versions. So let's make sure we all have the second one we are looking at. Did you want...what was the difference? Chuck, can you tell us what the difference is between the two?

Mr. McGroarty: Yes, the attorney, Ted Dunne, had asked that it be clarified that boat storage is a permitted use. Even though it was listed among the photos you presented, Mr. Chairman, at the hearing among the other things he is not allowed to have on site. And as a recreational vehicle, boats are permitted to be stored on site...

Mr. Weiss: Okay.

Mr. McGroarty: At the proper locations. So that was one change. Also he wanted to add language to emphasis that Building Number 4, the small building had been used for auto...for basic repairs. I don't remember the exact language. But only for the tenants on site. And that was approved by the Board so that was added as well. Ed, did I miss anything?

Mr. Buzak: No, those were the two changes. It's three difference changes in the Resolution but those are the two subjects that were changed.

Mr. Weiss: Okay. And that was reflective of what we've talked about.

Mr. McGroarty: Yes.

Mr. Weiss: It would be wonderful if this applicant would follow this revised Resolution. That being said, any other comments, questions, concerns?

Ms. Natafalusy: Howie, I just have two typos that I found.

Mr. Weiss: Go ahead.

Ms. Natafalusy: Page 2 in Number 2 it said 9 point 180 rather than 9,180 square feet. I don't think the building is nine feet.

Mr. Buzak: Catherine, is that on Page 2?

Ms. Natafalusy: Page 2...

Mr. Weiss: Page 2 paragraph 2.

Ms. Natafalusy: It's like the seventh line down, or something like that.

Mr. Schaechter: It needs to be a comma instead of a period.

Ms. Natafalusy: Yes, consisting of 9 point 180 square feet.

Mr. Buzak: Okay, got it.

Ms. Natafalusy: And then the other one on Page 5 where it says the clause...it says March. It should say May. Two small things.

Mr. Weiss: It was originally scheduled for March.

Ms. Natafalusy: Right.

Mr. Weiss: Okay, simple fix. Ed, what happens? You'll resend that over to Mary?

Mr. Buzak: Yes, I'll take care of those two changes and I'll forward it right after the meeting.

Mr. Weiss: Okay, no problem. Alright, any other comments? Dan, I can't tell if your hand is up. No? Okay. Seeing none, Mary, roll call please.

Ms. Strain: We have to have a motion.

Mr. Weiss: I'm sorry. Somebody please move this Resolution.

Mr. Scapicchio: I make the motion that we approve PB 19-10.

Mr. Weiss: Thank you, David. Second?

Ms. Natafalusy: Second.

Mr. Weiss: Catherine, thank you. Any other comments, questions? Seeing none, roll call.

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

Mr. Weiss: Okay, so before we adjourn, I spoke to Chuck earlier. We just wanted to go over some upcoming applications and talk about...without specifically talking about the application, more logistics. Correct, Chuck?

Mr. McGroarty: Yes.

Mr. Weiss: So let's review what we have coming up. I mean next week is fairly easy. The agenda went out today. We have the MCS Builders, which is an application that we previously heard. They had to go back and do some things. It should be fairly simple. I think most of the testimony has been delivered. The second one is a variance for a deck for a homeowner. So I don't expect much controversy on that. There is a plan...Chuck already gave his plan for the Huber application for next week so let's make sure we are aware of it. It appears to be simple. We'll do the same thing that we always do. I'll make sure the applicant testifies to the negative and positive criteria. We'll get that on record. Let's talk about some upcoming things, Chuck.

Mr. McGroarty: Right. In June...if we stick with the two meetings in June...June 11, I suggest we heard two applications that night. And they are 1 Elm Street which is a variance to knock down an existing house which is in terrible condition and rebuild on the same footprint. So we need some setback variances. And then also the application...I forget the name of the corporate entity...it's a small operation...but it's 5 New Street. Board members may remember we had that on months ago and there were some problems with the application. He got an attorney, although he fired that attorney. So I trust he has a new attorney. We'll find out. So if we have those two applications for June 11, I think that will be plenty. And then June 18 we have...we can perhaps have two other application. One is Flanders Investment Properties. It's a building down on Bartley Chester Road. They want...it's an industrial site but they want to have a U-Haul operation. So it's a use variance. And they we have Outfront Media. They got the approval for the digital billboard down at The After and they want to come back. They want a somewhat large billboard, not significantly larger. But larger than the Resolution would allow them. And that Resolution which was based on the testimony they offered. So they...we can't just change it. They would have to come in and...persuade you, I guess...to see if you would agree to that. Then we have...and Mary if I'm missing something after I'm done, please let us know. But we also have waiting to be scheduled Hunkele. Pete Hunkele, his site out on Gold Mine Road. He wants to add a third building. So that's a site plan. There is also a minor subdivision involved with that. So it gets a little involved. And then of course we have the General Development Plan. The first hearing for that

was going to be in March and obviously we didn't have it. That one's a big one obviously and with the cast that they will bring to the hearing plus ourselves, it's going to be quite a number of people involved. So for June anyway, I think if we can handle those four applications that will help clear some of the backlog that we have. And then we'll schedule Hunkele and the General Development Plan some point thereafter based on how you want to do it.

Mr. Weiss: Chuck, how long do you think we can push the General Development Plan off? And maybe it's a twofold question, the second half is any idea when we can return to some sort of normalcy and have a regular meeting? That would be the best to listen to them in person but...you know...we're swimming upstream.

Mr. McGroarty: Right. Well what I was told...this morning we had our department head meeting with Andrew, the Business Administrator, the staff as a whole...although basically Mary and I have been going in everyday and a lot of people have. But the building will be...the entire staff is expected to start probably in mid-June to be back. We don't know when the public is going to be allowed to be back in the building. That's the word this morning. So, I don't know.

Mr. Weiss: Are you getting...are you getting any pressure from the Rockefeller Group, the folks at the General Development Plan?

Mr. McGroarty: No. The only thing that I...a week or two or there about...maybe a little longer ago, Mike Selvaggi contacted...

Inaudible

Mr. Weiss: Go ahead.

Mr. McGroarty: Mike Selvaggi had contact me, the attorney for them, and wanted to know if...I guess he wanted to know if I would meet...or myself and Mike Vreeland would meet with them to go over some of the reports and everything. I didn't even respond to that because I think that's inappropriate. I think at this point they should...everything should be at the hearing. And honestly...you know...they've had...I've done two reports already. I know Mike did one. And they haven't done anything...very little of those changes. So, I'm not sure why they haven't been using this time productively to...maybe they are and we just haven't seen anything yet. So, as far as pushing it off for a while...Ed, you said something recently...they just modified the Land Use Law? So, do we get any extra time on that?

Mr. Buzak: Well, let me...let me mention that. Or why don't you finish, Chuck, and then I'll give just a short report on that.

Mr. McGroarty: Okay. I don't know...Howie, to your question. I don't know if we can start having meetings say in July in the building. If we can then it would be best to wait...the General Development Plan for that. I just don't know yet. I guess we're waiting to hear what the Governor is going to tell us what we can do. And then what Administration will do.

Mr. Weiss: Sure. Okay. As long as there's not a lot of pressure. We'll just wait to see where it falls.

Mr. McGroarty: Yes. I think...well they gave us an extension thru June 30th.

Mr. Weiss: Okay.

Mr. McGroarty: As did all of them. Mary, you are raising your hand?

Ms. Strain: Yes, there is one more application. It's the one on 14 George Street.

Mr. McGroarty: 14 George, where's that?

Ms. Strain: The homeowner with the deck also.

Mr. McGroarty: We'll get to it. I forgot about him. Thank you. You're right, I forgot about him. We can probably fit him in one of those meeting in June.

Mr. Weiss: I agree. That shouldn't be too difficult.

Mr. McGroarty: George Street, thanks.

Mr. Weiss: Ed, were you going to add...you said you were going wait.

Mr. Buzak: I can supplement what Chuck said. The legislature adopted a bill, A3919 and it's on the Governor's desk which would extend the time within which to act on applications by 60 days essentially from the date that they would have otherwise needed to be determined. It also extends the time to deem an application complete by the same 60 day period, as I recall. The League actually just sent a letter to the Governor because it's been on his desk since last week trying to urge him to sign this bill. There's a...as you may expect just politics involved. It's likely that the bill is going to be signed. It's retroactive to March 9th which is the date that they decided that this whole thing started based upon the Executive Orders. But as time continues to march on, there are situations...I don't think we have any in Mount Olive...but there are situations on other Boards where the time within which to approve an application has already expired. And the applicant technically has a default approval and can make...inaudible. So, the League has been urging the Governor...inaudible...because at one point it may be mute. And I was told late today that we may expect something late tomorrow. But we'll just have to see. So, if that happens that will give us a little more breathing room but it also depends upon the scope of the application....when it's been deemed complete, and so forth.

Mr. Weiss: Okay.

Mr. McGroarty: Howie, I was thinking too. If we continue on doing this thing remotely for a bit, when we get to...at some point have to schedule the General Development Plan, perhaps we can tell them only certain witnesses per night. You know...they've got plenty of witnesses...they got plenty of subjects and we can sort of work that out with them and say...you know...to start with bring this number of people for these topics and then if it's traffic issues or something like that we'll hold off for another meeting. We can probably work something like that out. They will probably be receptive I would think to that approach.

Mr. Weiss: You never know. By then we can get real good at this and we'll all be more comfortable. As long as there's no pressure. We can kind of wait till that day comes and do what's best for us. But that's not a bad idea.

Mr. McGroarty: Yes, I mean...again we are going to be dealing with plan. We are going to be dealing with reports and exhibits. So, it's going to get...

Mr. Weiss: I'm sure the process will go much slower this way. So...

Mr. McGroarty: Right. Right.

Mr. Weiss: Alright. So, I'm just going to make one suggestion before we close. And I know that it's a small issue and for those who don't recall the Spring...what is it Springdale Avenue? Is that what it's called? I forgot the name of the road.

Mr. McGroarty: On Springdale? 11 Springdale?

Mr. Weiss: Yes. Maybe get out and take a look at it. You know...I was looking at the report...Chuck's Report for the Huber property and I think we should...just make sure you do a drive by before the meeting next week everybody.

Mr. McGroarty: By the way, Huber...he is going to present...I've talked to him. I've explained to him. He should...I gave you a copy of his survey that he gave to us marked up. He understands he's going to have to present it. He said he'll also bring a couple of photographs to show his backyard. I was going to include them, but if he's going to do it. So, he'll have that as part of his testimony.

Mr. Weiss: Okay. So, we'll be ready again. Like I said, next week let's try to log on a little bit before in case...so we can get rid of some of these technical problems. Otherwise, thanks everybody for coming. Anybody, any other business.

Mr. Batsch: Howie?

Mr. Weiss: Yes, John.

Mr. Batsch: Just...it came up before. Is it possible...you know...for these larger applications to get physical copies of the drawings versus...you know...having to try to pull them up on another computer?

Mr. McGroarty: That's why I sent them to you. They went out in the mail...Huber...I gave you a hard copy of the report and attached a copy of the survey that he marked up.

Mr. Batsch: I haven't gotten it.

Mr. Schaechter: I haven't gotten it either.

Mr. McGroarty: Well, it only went out...Mary, when did that go out?

Ms. Strain: Tuesday.

Mr. McGroarty: It went out Tuesday.

Mr. Batsch: Oh, okay.

Mr. McGroarty: If you don't get it by tomorrow, please call or send me an email.

Mr. Batsch: Alright.

Mr. McGroarty: Make sure you get it. But going forward, absolutely. We are going to do that.

Mr. Batsch: Thank you.

Mr. Weiss: Yes, I think some of us have the ability to run two computers at the same time. If not, let Mary and Chuck know with enough notice.

Mr. McGroarty: It's not a big deal to mail to everybody. So, that's why we did it. So, for next week, you'll have a hard copy of Corey Huber's survey showing the deck...showing the proposed deck. 11 Springdale...did we send that also? I don't remember.

Ms. Strain: Yes. Yes.

Mr. McGroarty: And Dane will put both on these also...well he'll put them on the website anyway for the public. So, if you don't get it by tomorrow, just contact me and I'll make sure you get it.

Mr. Scapicchio: Chuck, did you also send one to me?

Mr. McGroarty: Everybody. We mailed it to all Board members, even if you didn't ask. Everybody should be getting it.

Mr. Ottavinia: Chuck?

Mr. McGroarty: Yes.

Mr. Ottavinia: Chuck, it's Paul. 11 Springdale, is that an addition or is that a deck?

Mr. McGroarty: It's an addition, Paul. It's a small addition...on the...if you're looking at the house, it's to the right side of the house.

Mr. Ottavinia: Yes.

Mr. McGroarty: The issues wasn't really the so much the addition, it was where they were going to park the cars.

Mr. Ottavina: The parking. Yes. From the site plan, that I was looking on the email, it's hard to say where that old road which is now township property...I couldn't really tell exactly where...like I don't know why they can't just make a driveway that goes straight toward the house...

Mr. Buzak: I'm going to have to interrupt here for a second. We can't talk about the specifics of an application because this is scheduled for next week.

Mr. McGroarty: But it's a good question, Paul. And we have an answer for you for next week.

Mr. Ottavina: Okay.

Mr. McGroarty: This give you tremendous motivation to show up. So, stay tuned.

Mr. Weiss: Okay.

Mr. Scapicchio: Howie?

Mr. Weiss: Yes.

Mr. Scapicchio: I see on my computer, we had two but now there's one attendee. Does that mean there's somebody from the public?

Mr. Weiss: Yes, that's Dane.

Mr. Scapicchio: Well Dane is listed as a co-host.

Mr. Westdyk: That's actually the FTR recorder in Council Chambers right now. It's recording this meeting and so it's being recorded using FTR so Mary can do the minutes.

Mr. Scapicchio: Understood. Thank you.

Mr. Weiss: Okay. Next week the applicant will be an attendee as well, correct?

Mr. McGroarty: Right. And Dane...I'll work out with Dane...we'll get some of these glitches squared away so that everybody...all Board members come in as panelist.

Mr. Weiss: Okay.

Mr. McGroarty: Dane, while everyone is here though, you were telling each one of us as we were coming...at lease the other people when we are coming on...when people log on they need to enter the email address? Do you want to repeat that, what you said earlier?

Mr. Westdyk: Yes. When we send out the emails, the idea is that that email address is now linked to a panelist. Alright? So, when you log in to Zoom be sure to use that email address that we sent...inaudible...So, that's how Zoom know where to put you in the meeting.

Mr. Ottavina: Dane, this is Paul. You know what? Now that you say that I actually put in...pottavina@mopd.org instead of mtolivetwp.org. So, that's probably why you can't see me?

Mr. Westdyk: Yes, there was a second link that went out. I got to retract that one and see if maybe that link was the attendee link and not the panelist link. But, yes, definitely when we send out...next week we'll send it. You'll see it. It will actually call you as a panelist. I believe it does. I believe it says in the email...you are invited as a panelist to this meeting. If not, I'll make it say that. I have that ability.

Mr. Schaechter: Paul, from this side, it looks like your camera is off.

Mr. Westdyk: Yes, Paul, you are going to need to figure out how to activate your camera...all the way down on the left side.

Mr. Ottavina: I'm actually using my phone so I don't know why the camera would...I don't know why the camera would be off.

Mr. Schaechter: You still have to turn it on.

Mr. Westdyk: John Mania figured it out.

Mr. Scapicchio: Somebody did it for John.

Mr. Weiss: We figured that was the case. Alright.

Laughter

Mr. Weiss: Like I said, we'll come on about 10 minutes before the hour, 7:00 next Thursday. We'll get back together again. If there's no other business, someone make a motion to adjourn.

Mr. Mania: So moved.

Mr. Scapicchio: Adjourn.

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

All Members: Aye.

Adjourn

The meeting adjourned at 7:33 pm.

Signature

Planning Board Meeting Date Approved