

**Mount Olive Planning Board
Summary Minutes
September 14, 2023**

Meeting opened at 7:00 pm with Pledge of Allegiance followed by roll call:

ATTENDANCE:

Planning Board Members:

Present:

Mr. Scapicchio, Mr. Schaechter, Ms. Mott, Ms. Natafalusy, Ms. Shanaphy, Mr. Weiss

Excused:

Mr. Forlenza, Mr. Mania, Mr. Nelsen, Mr. Galop, Mr. Batsch

Board Professionals:

Chuck McGroarty, P.P., AICP; James Bryce, Esq.; Mike Vreeland, P.E., C.M.E.; Walter Lublanecki, P.E.; Mary Strain, PB Secretary

MINUTES

Minutes of May 12, 2022 – approved.

Minutes of June 9, 2022 – approved.

Minutes of June 16, 2022 – approved.

Minutes of July 21, 2022 – approved.

RESOLUTIONS

PB 23-07 Kore, Kailas, 1 Alden Terrace, Block 6400, Lot 20 – approved.

PB 23-08 Lojek, Joseph & Connie, 81 Main Road, Block 5800, Lot 50 – approved.

APPLICATIONS FOR PUBLIC HEARING

PB 23-05 Yum & Chill Restaurant Group, LLC

Preliminary & Final Major Site Plan w/d variance

292 Route 206

Block 6800, Lot 5

Appearing for the application: Alan Loucher, Esq.; Marc Leber, P.E. of East Point Engineering; Matthew Seckler, P.E., P.P. of Stonefield Engineering & Design; Erik Liepins, AICP of Zelta Designs; Jagat Rathee, Taco Bell Representative

Alan Loucher, Esq. addressed the Board Members and explained the application. The application is for a redevelopment of the Lukoil Station on Route 206 in Flanders to a Taco Bell, which is a permitted use in the zone. The applicant is seeking a use variance approval because the application does not meet all of the conditions of the use, which includes parking, lighting, signage, along with front yard, side yard and rear yard setbacks for a principal and accessory structure. The applicant is also requesting some design waivers.

Testimony

Jagat Rathee was sworn in for testimony. Mr. Rathee described his experience managing other Taco Bell restaurants and future plans for developments for Taco Bell. The drive thru hours will be 7:00 am to 2:30 am. The lobby will be open 7:00 am to 11:00 pm. There will be approximately 5 to 6 employees for each shift. There will be two truck deliveries during the week.

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Marc Leber, P.E. of East Point Engineering was sworn in to testify as civil engineer for the application. Mr. Leber presented Exhibit A-1: *Group of Photos – A1-1, A1-2, A1-3, A1-4, A1-5, A1-6*. He gave a background description of the property and the surrounding area and businesses. He went through the photos and described each one to the Board. He noted that the lot is an undersized, nonconforming lot. Mr. Leber presented Exhibit A-2: *Colorized Rendering of Site Plan prepared by Marc Leber, East Point Engineering, LLC dated 9/14/23 Sheet 1 of 1 consisting of 1 Sheet*. He explained the layout of the restaurant and drive thru. The access will remain from the highway. The building will require all new utilities. There will be no change in the lot coverage. The trash enclosure will be located in the southwest corner and will need a variance for setback requirements. The plan also includes all new landscaping and LED lighting. He discussed setbacks and variances that will be required for front, side and rear yards. The height of the light fixtures proposed is 25 feet and will require a variance. The signage will also require a variance for height. The applicant is also seeking relief for the parking spaces.

The Board Members had concerns about the height of the light poles and the sign. Delivery hours were a concern. The access drive connecting to the 7-11 was questioned, and if it was going to be removed and landscaped.

Matthew Seckler, P.P., P.E. was sworn in to provide traffic engineering testimony for the application. Mr. Seckler reviewed the traffic volume and peak hours for the Board. He talked about the design of the entrance and exit on Route 206 along with the New Jersey Department of Transportation requirements. He discussed potential trip volume generation for the site. Parking was also reviewed with queuing for the drive thru. Lastly, Mr. Seckler testified to the ability of tractor trailers to maneuver on the site. The NJ DOT requirements and the Board Members' concerns for traffic pulling in and out of Route 206 were discussed at length.

Erik Liepins, AICP was present to testify as architect for the application. Mr. Liepins presented the site plan that was submitted for the application to the Board. He reviewed the layout of the building with dimensions, colors, materials and seating requirements. He also discussed the signs and the heights of the signs. The service door and customer entrance locations were discussed.

The Board's comments and concerns will be addressed by the applicant. The application was carried to November 16, 2023, with no further notice required.

PB 23-09 Deighton, Raymond
Pre & Final Site Plan w/d variance
11 Route 46
Block 101, Lot 1

Appearing for the application: John Horan, Esq.; Paul Grygiel, P.P. of Phillips Preiss; Raymond Deighton, applicant

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John Horan, Esq. explained that Mr. Deighton is the contract purchaser of 11 Route 46. He would like to use the property for motor vehicle repair and parts sales. He is buying the property as-is and will not be making any changes to the property except for some aesthetic improvements. They will be addressing the comments in Mr. McGroarty's report. The applicant is also seeking a d3 use variance due to the property being undersized for this specific use in the C-1 zone.

Mr. McGroarty indicated that the applicant asked for a waiver to submit a site plan for the application and instead has submitted a site plan he obtained through an OPRA request. The site plan is a previous plan prepared by Civil Engineering for Blue Sky Auto. The Board Members voted in favor of granting a waiver for the applicant to use the previous site plan prepared for Blue Sky Auto by Civil Engineering.

Testimony

The applicant, Raymond Deighton, was sworn in. Mr. Deighton testified that he is under contract to purchase 11 Route 46 and plans to open an auto repair shop and parts sales business. He currently owns a similar business in Rockaway, New Jersey that he has been operating for 16 years. The business would make 2 to 3 deliveries per day. The hours of operation would be Monday to Friday 7:00 am to 5:00 pm and Saturday 7:00 am to 3:00 pm. There will be 4 to 5 employees. No construction work will be done to the property, and everything will remain the same. The only change would be to replace the nonconforming lights with lights that are to code. He has two delivery vehicles that will be parked on the site and about 5 or 6 customer vehicles per day. There will be no painting so the spray booth will be removed. The existing apartment will not be used for residential purposes anymore. It was requested that the applicant file an existing conditions plan with the Township.

Paul Grygiel, P.P. was present to testify as planner for the application. Mr. Grygiel discussed the zoning and location of the property. He noted that the lot is .824 acres. A 2.0 acre minimum is required in the C1 zone for this type of use and for that reason the applicant is seeking a d3 variance. The property has previously been used for various types of auto uses. The applicant will upgrade the appearance of the property. There will be no outdoor storage of vehicles or materials. There are similar types of uses on some of the surrounding properties. The use will be a low impact use and nothing is changing.

No public came forward. The Board voted 6 in favor with 0 opposed approving PB 23-09 Preliminary and Final Site Plan with d variance for Raymond Deighton.

With no further business the Board adjourned at 9:43 pm.