

**Mount Olive Planning Board
Summary Minutes
January 18, 2024**

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

ATTENDANCE:

Planning Board Members:

Present:

Mr. Schaechter, Mr. Forlenza, Ms. Mott, Mr. Mania, Mr. Nelsen, Mr. Galop, Mr. Batsch, Mr. Weiss

Excused:

Mr. Scapicchio, Ms. Natafalusy, Ms. Shanaphy

Board Professionals:

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

MINUTES

Minutes of December 14, 2023 – approved.

Motion:	Mr. Mania	
Second:	Ms. Mott	
Roll Call:	Mr. Schaechter	Yes
	Mr. Forlenza	Yes
	Ms. Mott	Yes
	Mr. Mania	Yes
	Mr. Nelsen	Yes
	Mr. Batsch	Yes
	Mr. Weiss	Yes

RESOLUTIONS

Authorizing the Award of non-fair and open contract for professional services to M2 Associates, Inc., for hydrogeologic consulting services - approved.

Motion:	Mr. Schaechter	
Second:	Mr. Mania	
Roll Call:	Mr. Schaechter	Yes
	Mr. Forlenza	Yes
	Ms. Mott	Yes
	Mr. Mania	Yes
	Mr. Nelsen	Yes
	Mr. Galop	Yes
	Mr. Batsch	Yes
	Mr. Weiss	Yes

PB 22-20(1) Tricoli, Paul, 7 Southwind Drive, Block 4502, Lot 4 - approved.

Motion:	Mr. Schaechter	
Second:	Mr. Forlenza	
Roll Call:	Mr. Schaechter	Yes
	Mr. Forlenza	Yes
	Ms. Mott	Yes
	Mr. Mania	Yes
	Mr. Nelsen	Yes
	Mr. Batsch	Yes
	Mr. Weiss	Yes

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PB 23-17 Motion Motors Mount Olive, LLC, 412 Route 46 and 1 & 3 Harris Lane, Block 8200, Lots 7, 8, 9, 10 - approved.

Motion: Mr. Mania
Second: Mr. Nelsen
Roll Call: Mr. Schaechter Yes
Mr. Forlenza Yes
Ms. Mott Yes
Mr. Mania Yes
Mr. Nelsen Yes
Mr. Batsch Yes

PB 22-25 Speicher, Michael, 280 Old Ledgewood Road, Block 4200, Lots 16, 16.03, 19, 20 - approved.

Motion: Mr. Nelsen
Second: Mr. Schaechter
Roll Call: Mr. Schaechter Yes
Ms. Mott Yes
Mr. Nelsen Yes
Mr. Galop Yes
Mr. Weiss Yes

PB 23-05 Yum & Chill Restaurant Group, LLC, 292 Route 206, Block 6800, Lot 5 - approved.

Motion: Mr. Schaechter
Second: Ms. Mott
Roll Call: Mr. Schaechter Yes
Ms. Mott Yes
Mr. Weiss Yes

APPLICATIONS FOR PUBLIC HEARING

PB 23-14 Morris Mount Olive Associates, LLC

Preliminary & Final Site Plan w/variance
217-219 Waterloo Valley Road
Block 400, Lots 1 & 2

Appearing for the application: Michael Selvaggi, Esq.; Daniel Dougherty, P.E., P.P.; Brenden Leadbeater, AICP; Thomas Gallagher, Representative for Applicant

Michael Selvaggi, Esq. stated that the property, 217-219 Waterloo Valley Road, is approximately a 10.8 acre tract along Waterloo Valley Road. It is in the GI Industrial Zone. The applicant is seeking approval for a 64,515 square foot warehouse, which would include 2,300 square feet of office space. Also included will be about 15 bays. There will be about 21 parking spaces. There is no end user for the space so they are not prepared to have any firm answers regarding operations, which is the reason there are banked parking spaces, because eventually those spaces may be needed by the prospective business tenant. There are three bulk variances being requested for front yard setback, side yard setback and the retaining walls.

Daniel Dougherty, P.E., P.P., of Dynamic Engineering Consultants was qualified as a civil engineer and professional planner for the application. Mr. Dougherty presented Exhibit A-1: *Aerial Map*

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Exhibit, prepared by Dynamic Engineering dated January 18, 2024 consisting of 1 sheet. He described the property and the surrounding properties. Givaudan Fragrance company is to the northeast and UPS is to the far east along with a trailer storage lot. The lot is fully wooded except for an abandoned residential structure. There are extensive wetlands on the western and southern portions of the site, so the buffers associated with that as well as the actual wetlands take up the majority of the property. They are awaiting a Letter of Interpretation from the NJDEP. Mr. Dougherty presented Exhibit A-2: *Site Plan Rendering*, prepared by Dynamic Engineering dated January 18, 2024 consisting of 1 sheet. The plan showed the site plan along with general and zoning notations, and landscaping. He explained that the proposal is for a new warehouse facility 64,515 square feet. The northeast corner is where the project will be constructed. The building has access from Waterloo Valley Road which is the northwest side of the developable area. Access will go to the right hand side of the building. Around the back are 15 loading docks. There is sufficient area for trucks to back up to the loading docks. The parking lot has 21 parking spaces across the front of the building. Across the aisle from those spaces are 15 additional parking spaces that are presumed to be banked. Mr. Dougherty explained those additional banked spaces will be built if the applicant's prospective tenant needs the additional parking. At this time, they are asking to have those spaces approved for future use.

Mr. Dougherty testified that along with the Letter of Interpretation from the NJDEP, they will have a transition area waiver as well as a GP-11 General Permit for discharge of stormwater. He pointed out on the plan where they are proposing wetlands disturbance and improvements. Mr. Dougherty also explained the transition area averaging plan for the Board Members. He indicated that the remainder of the site will be subject to a conservation easement that will be dictated by the NJDEP. They will include the dimensions on the plan as part of their compliance once approvals are received.

Mr. Dougherty addressed the signage for the site and explained that they are proposing an 83.9 square foot monument sign. There are no building mounted signs proposed at this time. Those signs will be determined by the future tenant. Regarding the front yard setback, the building will be located 100 feet from the existing right-of-way of Waterloo Valley Road. They are providing a 16.1 foot dedication to widen Waterloo Valley Road and that results in the reduction of the front yard setback.

Mr. Dougherty noted that there are 36 proposed parking spaces, which includes 2 ADA parking spaces as well as 1 EV parking space and the proposed banked spaces. There will be 15 loading bays. He referred to the area of the trash enclosure at the southeast corner of the site. There will also be a trash and recycling compactor. The stormwater management will drain off the site towards the northeast and also towards Waterloo Valley Road. The stormwater management will be located in the front of the building. The stormwater management system will consist of porous pavement that collects runoff to a structure with two manufactured treatments devices that are piped to an underground detention system. The water quality is then treated and discharged to an inlet just west of the driveway. That connection point is the source of the GP-11 General Permit because the pipe goes through the transition area buffer.

Mr. Dougherty pointed out the area of excavation on the plan, which will be 45 feet from the lowest point to the highest point on Waterloo Valley Road. There will be a significant amount of excavation into that hillside. Which will result in a variance for relief from steep slope disturbance to remove the material that creates the steep slopes. On the entire parcel for the site there are 8,700 square feet of critical steep slopes and out of that they will be disturbing only 2,100 square feet of critical steep slopes. They are also asking for relief from moderate steep slopes, which include the 15 to 25 percent slopes. They are proposing to disturb 59,000 square feet of the entire 104,716 square feet of slopes,

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which equates to 56.3 percent. Mr. Dougherty noted that without the ability to disturb the steep slopes, because of the wetlands, the site would be rendered undevelopable. Mr. Dougherty briefly discussed lighting. The site will be lit from dusk until dawn. They will have more information regarding lighting when a tenant is occupying the site. There will be no light fixtures over 18 feet.

Regarding the retaining walls, Mr. Dougherty explained that at the highest point the retaining walls will be upwards of 36-1/2 feet, which will be combined with a series of tiers from 15 feet down to 6-1/2 feet. A geotechnical engineer will be contracted to do a full study with recommendations. Mr. McGroarty confirmed that the walls will be tiered up to 36-1/2 feet. Mr. Dougherty noted that there is a possibility that some of the walls could be rock faced.

Mr. McGroarty noted that the application is for preliminary and final site plan approval, but at this time it may be best to consider approval for preliminary plans only so that some of the details could be worked out for final approval in the future. The style and size of the walls were briefly discussed. The building height was questioned. Mr. Dougherty noted that the height of the building will be 45 feet, which is the limit.

Lastly, as part of the project engineer's testimony, Mr. Dougherty explained the landscaping proposed. He indicated that there will be a tree replacement/removal plan. There are no areas on the site to give forestation back at the replacement rates and that will result in having to enter into an agreement to implement a fee schedule for tree replacement as part of the application. There are new landscape plantings proposed as recommended by the Board's Environmental Consultant. Included in the proposal are 52 trees, 286 shrubs, and about 200 various types of ground cover and smaller plantings.

Mr. Vreeland asked for clarification of the slope disturbance. He also noted that the locations and amounts should be added to the plans. Mr. Dougherty said they will be superimposing the limits of disturbance on the steep slope exhibit in the plans. Mr. Vreeland also questioned the banked parking spaces. Mr. Dougherty explained that the area will be constructed as a lawn area and would be paved if the future tenant needs that area for parking. A future approval of the banked parking was discussed. Approval for the construction of the banked parking will be a condition of the resolution for the application. Mr. Vreeland asked for more details on the stormwater management. Mr. Dougherty indicated that they are proposing porous pavement and the water will go into storage pods below, which are underground chambers under the parking lot that will provide stormwater detention. He also briefly discussed water and sewer service, and the meter pit that would be located underground.

Mr. Weiss opened the meeting to the public for engineering questions for the application. No public came forward, the meeting was closed to the public.

Mr. Dougherty came forward to proceed with testimony as Professional Planner for the application. He explained that the applicant is seeking c1(d) variances because of the exceptional characteristics of the site. Primarily, the wetlands limit all of the development of the property from the 10-1/2 acres. The second element of limitation involves the grades. The negative criteria is minimal from these two exceptions. Mr. Dougherty also noted the insufficient front yard setback, which he felt was de minimis since this is an industrial area and the lesser frontage for the site would not be noticed. The side yard setback is proposed to be 26 feet and the required side yard setback is 50 feet. Again, this is due to the extreme characteristics of the site. He noted that the positive criteria is allowing the developer to develop the site even though there are topographic restrictions. There will be no impact to the public and no negative elements that will be visible to the public. All the wetlands will be preserved. Next,

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he addressed parking within the front yard setback and noted that it is no different from the general development patterns in the area. Also, the applicant will need relief from the stormwater management that will be located under the parking, technically in the front yard buffer. Lastly, Mr. Dougherty addressed the slope disturbance. He reviewed the disturbances for the Board Members and pointed out the areas on the plan. For critical slope disturbance, which is not permitted by ordinance, they are proposing a disturbance of 2,100 square feet. For the moderate slopes they are proposing to disturb 56.3 percent where 30 percent disturbance is allowed. He reiterated, this hardship is created by the freshwater wetlands and the topography. He added that in no case are they proposing structures on the steep slopes. He believed that the relief they are asking for will not impair the Zoning Ordinance or Master Plan for the Township.

Lot coverage and slope disturbance was a concern. Mr. Dougherty noted that the development will only take up 22.9 percent of the site where 60 percent is allowed. It was suggested that the building be raised up to prevent some of the slope disturbance. Mr. Dougherty indicated that they have made the building slab as high as possible to still be able to accommodate the ADA access.

The tree replacement plan was noted. Mr. McGroarty indicated that the tree replacement could be worked out at a later time as a condition of approval if the Board decided to grant preliminary approval only at this time, as advised earlier. This way it could be decided whether a reforestation plan or a replacement plan based on calculations would be required. Mr. Dougherty briefly discussed the tree replacement plan and landscaping proposed. It was decided to review conditions of the tree replacement plan at a later time.

Brenden Leadbeater, AICP was sworn to testify as architect for the application. Mr. Leadbeater described the proposed facility. It is 64,515 square foot warehouse, approximately 253 feet by 253 feet. There will be 15 dock doors at the rear of the building with an additional drive door. Office space is proposed on the north side of the building and will be approximately 2,300 square feet. The office will be heated by a gas fired unit located on the roof and cooled with an electric unit which will also be on the roof. The building will be constructed of concrete. The colors used on the building were discussed. It was noted that the Planning Board preferred earth tone colors. The color would be decided in the future. Mr. Forlenza asked about solar panels on the roof.

Thomas Gallagher, a representative for Morris Mount Olive Associates, LLC, was sworn for testimony. Mr. Gallagher testified that Morris Mount Olive Associates uses solar panels design for roof tops. They feel that the roof is the best location for solar panels. They will not decide if they will be using solar panels until the building is completed. Solar ready building regulations were mentioned. Mr. Gallagher explained the procedure for acquiring tenants to rent their buildings. Recently, they have been waiting to find a prospective tenant until the building starts to be constructed due to the lengthy time frames for approvals. Building colors will be decided after a tenant has been obtained. Mr. Vreeland asked for a construction schedule or timeframe for the Township due to paving that the Township will be completing in the area. Mr. Gallagher did not have a schedule, but will communicate with Mr. Vreeland and the Township when more information is available.

Mr. Selvaggi came forward and noted that the applicant will only be seeking preliminary approval that evening due to discussion and comments from the meeting. He noted the 3 bulk variances and design waivers the applicant is requesting due to the environmental constraints. The preliminary approval will enable the applicant to review the retaining walls to try and minimize the walls and give the site a more natural feel.

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Mr. Weiss listed the conditions of approval for the application which included that an NJDEP Letter of Interpretation should be obtained, there will be a conservation easement in the freshwater wetlands, the building will conform to all municipal standards, design and retaining walls will be subject to a developers agreement, banked parking will be addressed as an administrative review, a deed of merger will be established for Lot 2, the meter pit will be below ground, and the tree removal plan will be confirmed at final approval.

Mr. McGroarty noted that the slope information should be added to the plans, the architectural plan should be revised as noted in the professional reports and the color will be determined at final approval. Also, the affordable housing contribution should be recognized.

No public came forward. A motion was made by Mr. Schaechter, seconded by Mr. Mania to grant preliminary site plan approval along with variances and design exceptions as requested by the applicant, with conditions set forth by the Planning Board, for Application 23-14, Morris Mount Olive Associates, LLC. The Board voted 8 in favor with 0 opposed, therefore approving preliminary approval along with the variances and design exceptions requested for the application.

Roll Call:	Mr. Schaechter	Yes
	Mr. Forlenza	Yes
	Ms. Mott	Yes
	Mr. Mania	Yes
	Mr. Nelsen	Yes
	Mr. Galop	Yes
	Mr. Batsch	Yes
	Mr. Weiss	Yes

PB 23-19 Fratelli Beretta USA, LLC

Amended Preliminary & Final Site Plan; d-4 FAR variance
650 International Drive
Block 107, Lot 3

Appearing for the application: Robert McBriar, Esq.; Brian Duddy, P.E.; Allison Kopsco, P.P.; Simone Bocchini, President of Fratelli Beretta USA

Robert McBriar, Esq. of Schenck, Price, Smith and King law firm introduced himself to the Board Members. He explained the application is for property located at 650 International Drive that is owned by Fratelli Beretta USA, LLC. The property is situated in the FTZ3 Zone. The applicant is seeking approval for changes to the previously approved site plan. Changes were made during the construction. The changes being requested are to accommodate some requirements of the utility companies servicing the site to improve certain safety components and landscaping. He listed the specific changes, which included relocation of the transformer and gas meter, relocation of several parking spaces, a very minor increase in impervious coverage, realignment of a retaining wall segment, realignment of curb, relocation of certain doors, stairs and platforms, substitution of stone for shrubs, elimination of shrubs behind guardrail and on top of portions of the retaining wall, landscaping at the base of walls, and relocation of the monument sign.

Simone Bocchini was sworn for testimony. Mr. Bocchini testified he was President and Chief Operations Officer for Fratelli Beretta USA. The additional facility was constructed for the expansion of their prosciutto dry curing facility. There has been no change in use of the facility since prior

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Planning Board approvals. There has been no changes to the volume of traffic. Mr. Bocchini explained the need for various changes of the approved plan. Most of the changes were required as a result from improvements needed for the gas and electric utilities servicing the site. The loading doors also needed to be relocated and a different glass door is proposed. The monument sign will also need to be relocated. Some of the changes and landscaping were discussed. Mr. Bocchini testified that he was not made aware of some of the changes and apologized for the oversight.

Brian Duddy, P.E. was qualified to testify as engineer for the application. Mr. Duddy explained that the original site plan received approval in 2022. He got involved with the plan revisions after receiving a letter from Mr. McGroarty regarding the changes at the site during 2023. Mr. Duddy presented the amended site plans that were submitted to the Board, dated November 3, 2023. He reviewed the plans for the Board. He discussed the as-built which showed the curbing and retaining walls. He also noted that a narrative of the changes was included with the submission. He stated that the most significant deviation of the plan is the relocation of the transformer which eliminated 3 parking spots. As mentioned earlier, that revision was necessitated by the utility company. Presently, there are 12 bollards placed around the transformer for protection from cars hitting it. This deviation from the plan slightly reduced impervious coverage by adding grass and mulch around the transformer. There have not been any issues with the reduction in parking spaces. The 3 parking spaces lost due to the relocation of the transformer will be relocated to the rear of the building out of the way of the loading area. Mr. Weiss mentioned that the trash compactor located in the rear of the building would have to be moved away from the relocated parking spaces. Mr. Duddy asked if would be possible for the Board to grant a waiver to eliminate the 3 parking spaces. Mr. Duddy further testified that along with the loss of the 3 parking spaces there was some curbing for the transformer added and some of the parking layout in the front of the building had to be restriped. The ADA parking space was relocated from the north to the south of the site and there was some rearrangement of the door locations as a result of the ADA space being relocated, plus some interior redesign so the ADA space would be closer to the main entrance door. He explained that the large gas meter installed up against the building also necessitated relocation of the ADA parking space so that the skewed crosswalk for ADA access could be realigned.

Mr. Duddy also testified that the realignment of some of the retaining walls along International Drive and the southern property line was due to field conditions. The walls were shifted about a foot. The retaining wall along the railroad tracks was reduced from 2-1/2 feet to about a 1 foot height due to field conditions which in turn eliminated the need for that wall all together. Mr. Duddy discussed some of the curb alterations. The curb line coming into the driveway was slightly altered. It will not affect truck traffic. The curb in the northwest corner was bumped out slightly to provide for better truck turning. The pitch point between the building and the curbline added about 515 square feet of impervious coverage. With the decrease in coverage for the transformer relocation and this increase of 515 square feet, the total increase of impervious coverage totals about 180 square feet and that necessitated a variance for increase in impervious coverage.

Mr. Duddy reviewed the landscape changes. On the northern side of the site the arrangement is the curbline with the guiderail behind it and landscaping was proposed behind the guiderail on top of the retaining wall. There is a 10 to 12 foot drop there, which is really not the best condition for landscaping so they replaced the shrubs behind the guiderail with stone. There is also a small section of retaining wall along the front where they also replaced the landscaping with stone on top. The shrubs along International Drive were relocated to the base of the wall.

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Mr. Duddy presented Exhibit A-1: *Amended Site Layout Plan* prepared by Suburban Consulting Engineers, Inc. dated 11/3/23 consisting of 1 sheet. He explained that the sign was originally proposed on the south side of the driveway, but because of the location of the transformer that JCP&L installed, the sign would not be visible as proposed so the applicant would like to move it to the other side, the north side, of the driveway. It will be the same exact sign as was previously approved, they will just be moving it to the other side of the driveway.

Allison Kopsco, P.P., of J. Caldwell and Associates was sworn to testify as professional planner for the application. Ms. Kopsco noted that the past professional planner's testimony for the original application for the site for c2 and d4 variances is still relevant to the proposal and still applicable in terms of the positive criteria for the c2 variance relief which included the impervious coverage and retaining wall height. The retaining wall height is not to be changed only realigned. These variances are needed in response to the utility requirements, but they also serve the purposes of the Municipal Land Use Law, which specifically include, to encourage municipal action to get the appropriate use or development in a manner which will promote the public health, safety, morals and general welfare; to provide sufficient space in appropriate locations for a variety of uses; and to promote a desirable visual environment. Ms. Kopsco indicated that these modifications to the site, as the Board heard earlier in the evening, are very minor in nature, but they do improve the site's appearance and function. Three of the parking spaces are being removed from the front yard, which brings the property slightly more into compliance with the design standards that inhibit parking spaces in the front yard. Curblines are being modified to assist in the circulation of trucks and the requirements of the utility companies are being accommodated. The 2003 Master Plan and the FT'Z3 Zone District specifically envision the development of industrial uses at this scale and in this location. Ms. Kopsco concluded, despite the slight increase in impervious coverage, this is a better plan alternative than the original approval because it works for all parties involved on the site. No detriment to the community is anticipated as a result of these changes and the benefits to the surrounding area effectively outweigh the detriments. Lastly, she noted that there are no substantial impacts traffic on or off site from these changes.

Mr. Weiss summarized the conditions discussed that evening. The Board will grant an exception by reducing the parking by three spaces and the applicant will resubmit a site plan showing all the changes that have been made to the site.

Mr. McGroarty indicated that he, Mr. Vreeland and Mr. Duddy should meet to discuss the revised plan.

No public came forward. A motion was made by Mr. Nelsen, seconded by Ms. Mott approving Application PB 23-19 for Fratelli Beretta USA, Inc. with the conditions as listed for amended preliminary and final site plan with d4 FAR variance.

Roll Call:	Mr. Schaechter	Yes
	Ms. Mott	Yes
	Mr. Nelsen	Yes
	Mr. Galop	Yes
	Mr. Batsch	Yes
	Mr. Weiss	Yes

With no further business the Board adjourned at 9:40 pm.