TOWNSHIP OF LOPATCONG
PLANNING BOARD MEETING
MINUTES
7:00 pm

September 24, 2025

Chairman Samson called the Planning Board Meeting to order.

A Prayer was offered followed by the Oath of Allegiance.

Chairman Samson stated "Adequate notice of this meeting has been provided indicating the time and place of the meeting in accordance with Chapter 231 of the Public Laws of 1975 by advertising a Notice in The Star Ledger and The Express-Times and by posting a copy on the bulletin board in the Municipal Building."

Present: Members Lawler, Mengucci, Palitto, Weeks, Vice-Chairwoman DiLeo, Chairman Samson. Also present were Attorney Bryce and Engineer Wisniewski.

Adequate notice of this meeting has been provided indicating the time and place of the meeting in accordance with Chapter 231 of the Public Laws of 1975 by advertising a Notice in The Star Ledger and The Express-Times and by posting a copy on the bulletin Board in the Municipal Building.

Old Business:

Minutes – Approve the minutes of August 27, 2025 on motion by Member Mengucci, seconded by Member Weeks. Roll call vote:
AYES: Members Lawler, Mengucci, Palitto, Weeks, Vice-Chair Woman DeLeo, Chairman Samson.
NAYS: None

Carmco, Inc. – 189 Strykers Road – Block 100, Lot 6.08 – Resolution to approve on motion by Member Palitto, seconded by Vice-Chairwoman DiLeo. Roll call vote:
AYES: Members Lawler, Mengucci, Palitto, Weeks, Vice-Chair Woman DeLeo, Chairman Samson.
NAYS: None

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF

LOPATCONG, WARREN COUNTY, NEW JERSEY,

GRANTING PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL AND ASSOCIATED VARIANCE RELIEF AND WAIVERS TO CARMCO, INC., CONCERNING PROPERTY LOCATED AT 189 STRYKERS ROAD AND DESIGNATED AS BLOCK 100, LOT 6.08

WHEREAS, CARMCO, INC. (hereinafter referred to as "Applicant"), has applied to the Township of Lopatcong Planning Board (hereinafter referred to as "Board") for Preliminary and Final Major Site Plan Approval with associated Variance Relief concerning property located at 189 Strykers Road, in the Township of Lopatcong and designated on the Tax Map of the Township of Lopatcong as Block 100, Lot 6.08, and as located within the ROM Zone District (hereinafter referred to as "Subject Property") for an integrated industrial/office park development and associated outdoor bulk storage; and

WHEREAS, this application falls under the jurisdiction of the Board for approval pursuant to N.J.S.A. 40:55D-1 et seq.; and

WHEREAS, the Applicant was represented by Mark R. Peck, Esq., of Florio, Perrucci, Steinhardt, Cappelli, Tipton & Taylor, LLC; and

WHEREAS, the Applicant provided proof of service and publication of all proper notices and advertisements as required pursuant to the Municipal Land Use Law; and

WHEREAS, a public hearing was held on the application on August 27, 2025, during which time the Applicant presented testimony, reviewed the application and site plan and proposal and the case was opened for public comment; and

WHEREAS, the Board heard testimony, reviewed exhibits and reports, and established a record that may be characterized in summary as follows:

1. The following materials/reports and correspondence were received and reviewed by the Board:

A. Completed Lopatcong Township Subdivision and Site Plan Application;
B. Completed Lopatcong Township Preliminary Site Plan Details Checklist.
C. Completed Lopatcong Township Final Site Plan Details Checklist.
D. Completed Lopatcong Township Variance Application Form.
E. Plans entitled "Preliminary & Final Major Site Plan for Carmco, Inc., Block 100, Lot 6.08" prepared by Finelli Consulting Engineers under the signature of Bryce D. Good, P.E., dated February 20, 2025.
F. Map entitled "Boundary & Topographic Survey of Block 100, Lot 6.08" prepared by Finelli Consulting Engineers dated January 7, 2025.
G. Stormwater Management Report prepared by Finelli Consulting Engineers under the signature of Bryce D. Good, P.E., dated February 24, 2025.
H. Copy of Deed relative to Subject Property.
I. Copy of easements encumbering Subject Property.
J. August 22, 2025, review memorandum of Adam Wisniewski, P.E., Planning Board Engineer.
K. August 22, 2025, Planning review memorandum prepared by Daniel N. Bloch, P.E., Planning Board Planner.
L. March 27, 2025, submittal letter prepared by Finelli Consulting Engineers under the signature of Bryce D. Good, P.E.

2. The following is a summary of the testimony introduced at the hearing:

A. The Applicant introduced Bryce Good, P.E., who was sworn. The Board accepted Mr. Good's qualifications as a professional engineer. Mr. Good confirmed that the Applicant is seeking preliminary and final site plan approval to construct an 8,000 square foot integrated industrial/office park development with associated outdoor bulk storage on Block 100, Lot 6.08, in the ROM Zone District. Mr. Good described the existing conditions of the Subject Property noting that the Subject Property is accessed through a private road and is in the nature of a flag lot stemming off of Strykers Road. Mr. Good noted that the Subject Property is oddly shaped and is encumbered with a cellular tower in the northwest section of the property and is further encumbered with a drainage easement basin that was installed secondary to a subdivision granted in 2006, as well as a JCP&L right-of-way and transmission towers in the western aspect of the property. Mr. Good noted that the Subject Property contains approximately 2 acres of unrestricted area that is generally covered in millings as related to an asphalt fan located to the east of the Subject Property. It was noted that there is a self-storage facility located to the south of the facility as well as precast concrete manufacturing and to the north there is a trucking concern. The Subject Property is approximately 5 acres in total size and is located within the ROM zone district and the planned development overlay zone district as well. Mr. Good testified that the Applicant is proposing to develop an 8,000 square foot building located in the eastern and southeastern aspect of the

property. The proposed building would contain an office and various overhead door truck bays for the servicing of large trucks and equipment. Mr. Good indicated that this is an integrated park development and the Applicant is seeking an accessory outdoor storage use for the parking of equipment and trucks. It was noted that many of the vehicles and items are construction equipment. Mr. Good reviewed details of the site plan noting that there will be paving suitable for heavy trucks as well as lighter paving for the parking of passenger vehicles. Mr. Good provided greater detail as to what is proposed. In this regard, Mr. Good indicated that the proposed building will be a Morton type structure and the Applicant is proposing access to the site from a southeastern driveway as reflected on the proposed revision. Mr. Good noted that the proposed building will be serviced by a small septic system, however, noted that because of the limited area of development, the septic system is proposed to be located within a setback requiring variance relief. The building itself will be one story in size and have internal parking bays that are 20 feet wide. Mr. Good stated that the Applicant will comply with the comments proposed by the Board Engineer including the placement of a concrete apron in proximity to the building parking areas as well as the placement of wheel stops for passenger parking areas. It was noted that the building will have approximately 400 square feet of office and will be providing for parking stalls as well as ADA accessible parking. As to proposed stormwater management, Mr. Good stated that development of the Subject Property was incorporated in prior approvals that led to the development of the stormwater management basin. In this regard, the stormwater assessment notes that if the Subject Property is 100% impervious it is served adequately by the basin and meets substantively all of the most recent stormwater management regulations. Mr. Good noted the issues with limestone development in the area and that the drainage basin is a sand filter type that is not necessarily designed for drainage. Mr. Good noted that based upon the geology, there is no real opportunity for green devices and noted that the Applicant will be required to report to the Township Engineer and Department of Public Works for stormwater management reporting on an annual basis. Mr. Good reviewed the proposed site lighting noting there are waivers being sought as there are areas with illumination greater than 1.0-foot candles for an average between 0.5-to-1.0-foot candles are required. Mr. Good explained that based upon the shape of the property and limited areas in which lighting fixtures can be placed, illumination is difficult to achieve based upon the limited area in which development can occur on the Subject Property and the odd shape of the property relative to the potential use. Mr. Good referenced the lighting plan graphically depicting the issue and noted that with truck circulation there are limited areas for appropriate lighting poles to be placed to achieve the main standard. Mr. Good did confirm that the Applicant would be amenable to dimming of the lighting during overnight hours to provide for minimum levels necessary for security. Mr. Good did note that the light poles are 30 feet which is compliant with the ordinance requirements. Mr. Good testified as to the proposed landscaping of the property and confirmed that the Applicant has obtained necessary Highland's ability determination for the project. Mr. Good noted that the Applicant is proposing a block retaining wall directly adjacent to the proposed 16 truck parking stalls and 4

medium truck parking stalls at the northeastern corner of the site and confirmed that the Applicant would place appropriate wheel stops so as the retaining wall would not be damaged. In this regard, Mr. Good testified as to onsite traffic circulation with the requested variance relief. In this regard, Mr. Good noted that there is a side yard setback variance relating to 2 sides of the property noting that one side yard setback is proposed at 11.5 feet and the other at 37.5 feet where 50 feet is otherwise required. Mr. Good noted that this particular site has no definable front yard or rear yard and based upon the limited available area for the development of the building and outdoor storage area, the intrusion into the side yard setbacks is required for appropriate site circulation of vehicles. In this regard, Mr. Good demonstrated the limited maneuvering area associated with the site. This is further encumbered by the easements and encumbered areas affecting the Subject Property. Mr. Good further noted that the Applicant is not maintaining a 25-foot buffer strip along all lot lines of the property. Once again, Mr. Good noted that this is related to the limited development area based upon the encumbrances on the property and the limited maneuvering space. Mr. Good noted that the adjoining neighbors of the flag lot are industrial in nature and that no adjoining properties maintain buffer strips either. This is further related to the outdoor storage within a 25-foot buffer strip and parking locations as proposed. Mr. Good noted that the Applicant is not providing landscaped islands within parking areas noting that such a provision would be impossible for this particular development and it is not a development that has a customary parking lot that would envision such landscape islands within parking fields. It further relates to the provision of trees and shrubbery based upon off street parking area noting that the Applicant does not have the room for the placement of 206 shrubs and 103 trees as would normally be required. In this regard, the Applicant did note that they are placing 86 shrubs and 35 trees on the site in the adjoining buffering area in an attempt to mitigate the variance but there is very little space available for the placement of such trees and shrubbery further noting the encumbered area of the property in relationship to the cell tower and transmission line right-of-way. Similar testimony was given as to the lack of screening within the yard areas. Mr. Good testified that the variances all being sought are related to the odd layout and shape of the property, as well as the limitations imposed by various encumbrances and easements associated with the property that limit the buildable space of same. In this regard, it was underscored that less than 2 acres of the 5-acre parcel are developable and is currently considered fully impervious. Mr. Good testified that there is no real opportunity for screening and mitigation of the other variances being sought. Mr. Good did offer his opinion that based upon the location of the Subject Property relative to surrounding uses, there would be no impact to the public good based upon the variances or would there be a substantial impact to the zone plan or zoning ordinance. In this regard, Mr. Good indicated that the development of the Subject Property in its limited proposal is consistent with the surrounding uses and noted that the site will be utilized as industrial in nature. It was noted that the site will be utilized for the parking of tractor trailers and construction equipment and that it is anticipated to be a 24-hour operation, 7 days a week. Mr. Good stated that the

Applicant is not proposing signage with the application upon inquiry from the Board.

3. The following exhibits were introduced at the hearing:

Exhibit A-1 – Aerial photograph of Subject Property
Exhibit A-2 – Enlarged aerial photograph of Subject Property

4. The matter was opened by the Board for public comment and no public comment was received.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Lopatcong, that it hereby makes the following findings of fact and conclusions of law based upon the testimony given in this matter, and the reports, documents and materials that have been provided to the Board:

1. Applicant, Carmco, Inc., is the owner of real property located at 189 Strykers Road in the Township of Lopatcong and as designated on the Tax Map of the Township of Lopatcong as Block 100, Lot 6.08, same being located within the ROM Zone District and also within the Planned Development Overlay District.

2. The Subject Property is 5 acres in size and is irregular in its shape. The property is a flag lot stemming from Strykers Road and is previously improved with a drainage basin and cell tower, as well as being encumbered by a JCP&L right-of-way, all being located within the western portion of the property. The usable area of the property is substantially impacted by millings and impervious surface. Located to the east of the Subject Property is an asphalt plant and trucking business, to the west and south of the property is a self-storage facility and precast concrete manufacturing facility and to the north is also a trucking facility. The Board finds credible that of the entire property, approximately 2 acres of same is unrestricted and subject to development.

3. The Applicant is proposing an integrated industrial park/office development with accessory outdoor bulk storage on the Subject Property. In this regard, the Applicant is proposing an 8,000 square foot one-story Morton building containing approximately 400 square feet of office space and 20-foot-wide service bays for equipment servicing and repair. The Applicant is proposing additional site improvements relating to site lighting, paving to support the storage of trucks and heavy equipment, paving for passenger car parking, landscaping and stormwater management.

4. The Applicant has received a New Jersey Highlands consistency determination and will conform with the planting selection requirements as outlined therein.

5. The Board finds that pursuant to the site plan ordinance and related design regulations, the Applicant is proposing onsite parking with ADA accessibility.

6. As to stormwater management, the Board finds credible that as a result of a prior subdivision and development application relating to the stormwater basin located on the Subject Property, the Subject Property was considered to be impervious coverage for the design of same and that the proposed stormwater management system is sufficient to support the instant application. The Board finds further credible that the current stormwater management system and related basin is a sand filter designed to mitigate drainage due to geological limitation. The Applicant has satisfied the Board that there is minimal opportunity for green stormwater management devices.

7. The Applicant is noting access to the Subject Property via an access way along the southeastern aspect of the lot and has sufficiently demonstrated onsite circulation and maneuvering for vehicles.

8. The Board is satisfied that the Applicant has demonstrated appropriate relief from onsite lighting requirements, noting that the shape and layout of the Subject Property creates average illumination levels greater than 1.0-foot candles. The Applicant indicates that appropriate light shielding and overnight security dimming will be implemented and the Board further notes that the Subject Property is surrounded by industrial uses.

9. The Applicant has requested multiple dimensional variances in association with the application. These variances include relief from §243-75E regarding minimum side yard setback where 50 feet is required and the Applicant is proposing 11.5 feet and 37.5 feet; §243-75D(2) Applicant is providing less than 25 feet of landscape buffering along lot lines; §243-75D(4) outdoor storage within the 25 foot buffer; §243-49D parking within 25 foot buffer; §243-49G(5) no landscaped open space within parking area; §243-49G(5) providing 86 shrubs and 35 trees where 206 shrubs and 103 trees are required; §243-62B

deviation from screening requirements. The Board notes that based upon a relocated access, a grading design waiver has been resolved.

10. Due to the similarity of relief being requested, the Board makes a determination uniformly. In this regard, the Board is satisfied that the Subject Property is oddly shaped as designed and is significantly encumbered with preexisting improvements and overhead power right-of-way that significantly limit the developable area of the Subject Property. In this regard, the Board finds credible that the developable area of the Subject Property is limited to approximately 2 acres and is considered to be 100% impervious surface. The Board finds credible that based upon the odd shape and limited area, the location of the proposed building and related accessory storage of trucks and heavy equipment on site relative to functional maneuver ability impacts compliance with the aforementioned development ordinance. In this regard, the Subject Property does not have a specific front or rear yard and based upon the constraints, the Board finds that a strict application of the side yard setback requirement, maintenance of 25-foot buffering with attendant limitation of outdoor storage and parking, and compliance with landscape requirements would be an undue and unnecessary hardship upon the developer. In this regard, based upon the nature of the impervious coverage, the Board finds credible that there are limited opportunities available for appropriate screening and plantings. The Board further notes that based upon the nature of the operation, the septic system is proposed within a setback area as well. The Board does not find that the relief is substantially outweighed by impacts to the public good or the intent and purpose of the zone plan and zoning ordinance. In this regard, the Board notes that the surrounding properties are all industrial in nature and neighboring properties do not maintain buffering requirements of a substantial nature. The proposed industrial use is within an appropriate heavily developed industrial area and the variances are necessary for appropriate operation of the site as proposed.

BE IT FURTHER RESOLVED, by the Planning Board of the Township of Lopatcong as follows:

1. Preliminary and Final Site Plan Approval so as to permit the construction of an 8,000 square foot building containing 400 square feet of office space and service bays for the maintenance and repair of trucks and heavy equipment with associated outdoor accessory storage of such equipment and trucks and other site improvements as depicted and detailed on the site plan submitted herein is hereby granted to the Applicant.

2. Variance relief pursuant to N.J.S.A. 40:55D-70(c)(1) is hereby granted to the Applicant so as to permit a minimum side yard setback where 50 feet is required and the Applicant is proposing 11.5 feet and 37.5 feet; § less than 25 feet of landscape buffering along lot lines; outdoor storage within the 25 foot buffer; parking within 25 foot buffer; no landscaped open space within parking area; providing 86 shrubs and 35 trees where 206 shrubs and 103 trees are required; deviation from screening requirements.

2. The Preliminary and Final Site Plan Approval and other relief granted herein is based strictly upon the plans, reports and testimony submitted to the Board. This approval is subject to and upon the following conditions:

A. The Applicant shall comply with any and all conditions, requirements and agreements as set forth within this Resolution, as well as any and all representations made to the Board. Further, Applicant shall comply with all comments and conditions set forth within the reports of the Board professionals and Township employees as provided to the Applicant and satisfy continuing conditions from the preliminary site plan approval.

B. The Applicant shall satisfy and post any and all required escrows, inspection fees and pay any and all outstanding taxes as are required by law or ordinance.

C. The Applicant shall obtain any and all necessary approvals having jurisdiction thereover. The Applicant shall further comply with all conditions as imposed by outside agencies, including the Highlands Council, the New Jersey Department of Environmental Protection, the Warren County Planning Board and the Warren County Soil Conservation District as applicable.

D. The Applicant shall cooperate with both the Township professionals and the Board Engineer and Planner as related to recommendations concerning landscaping and site plan details if minor field adjustments are required based upon onsite conditions at the time of construction and Applicant shall undertake to review potential for an alternate lighting scheme consistent with the use and development of the site.

E. No construction is permitted until taxes and fees are paid, all outside agencies approvals or waivers thereover are obtained, the site plan is revised in a manner satisfactory to the Board Engineer and Board Planner, performance guarantees and inspection fees are posted and/or the Applicant enters into a Developer's Agreement as may be required by the Township of Lopatcong.

F. The Applicant shall install wheel stops and safety devices for vehicular parking consistent with the Board Engineer's direction.

G. The Applicant shall install an appropriate concrete apron adjacent to the proposed Morton building consistent with the Board Engineer's direction.

H. Onsite lighting shall be subject to reduction overnight for security level illumination.

I.

BE IT FURTHER RESOLVED, by the Planning Board of the Township of Lopatcong that:

1. All conditions contained in this Resolution and in the record of the proceedings in this matter, including any agreements made by the Applicant, were essential to the Board's decision to grant the approvals set forth herein. A breach of any such condition or a failure by the Applicant to adhere to the terms of any agreement within the time required shall result in the automatic revocation of the within approval and shall terminate the right of the Applicant to obtain or continue work or occupancy under any construction permits, Certificates of Occupancy or any other governmental authorizations necessary in order to continue development and use of the property.

2. The development of this property shall be implemented in accordance with the plans submitted and as approved. In the event that the Applicant shall make or propose any changes to the project or structures on the property from those shown on the revised and approved plans and

exhibits approved for this Application, whether such changes are voluntarily undertaken or required by any other regulatory agency, Applicant shall resubmit any such changes to this Board for review and determination.

The foregoing is a true copy of the Resolution adopted by the Planning Board of the Township of Lopatcong at its meeting of September 24, 2025.

Date: September 24, 2025

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Margaret B. Dilts, Planning Board Secretary

New Business:

1179 Rt. 22 Greenhouse Dispensary – Block 100, Lot 10 – Completeness only.

Attorney Lee – My name is Eric Lee, I'm an attorney for Florio, Perrucci Law Firm, in for Mark Peck. I have our Engineer Mr. Derrick Ranger of French and Parillo Associates. He is here today to address the items in the correspondence in respect to further clarification dated 9/19/2025. I also have architectural plans that I can serve the board now while Mr. Ranger speaks on these items.

Engineer Wisniewski – Mr. Chair, if I can just clarify for the board that Mr. Ranger and I spoke about the completeness report that I issued and we discussed a few of the items that I pointed out, it will be required in some of the items we sort of discussed that would be submitted as part of a technical review so, essentially, the thought was that the application would move forward, you know, and certainly we can go through the items and discuss how we sort of addressed those with the intention of, you know, moving forward towards a completeness determination and Mr. Ranger agreed to provide some of those additional materials including the architectural before you this evening.

Engineer Ranger – We'll submit full size sets as well. So, if you like me, I could go through the letter so just start on the variance requests the only variance we are seeking tonight, not tonight, for the application is for a sign variance it would be the height of 8 feet where the ordinance allows 5 and we'll provide testimony at the hearing for that. For the preliminary major site plan checklist, based on Adam's review, the main missing items were the 1-a, preliminary architectural plans for all proposed buildings and structures. We have that. We submitted the 8 ½ x 11 copies; we'll submit full size copies to the board and 1-b, compliance with 243-48d the limestone geologic study; we are seeking a temporary waiver for this and we will perform the test; we're looking to move forward with the application now and understand that if our findings on the site change our site layout in any way, then we will have to come

back to the board, however, we're confident that it will only change our stormwater design and it's currently all underground anyway, so, that's kind of the justification for why we're seeking the temporary waiver.

Chairman Samson – I don't think that will change the stormwater or change where the, I mean, the issue is because the stormwater has to be sealed. Usually, they test under the building, right?

Engineer Wisniewski – Right. Well, it is a little bit of both so the, I don't have the ordinance in front of me but certainly that Section 243-48d outlines specifically because of the prevalence of sink holes in Lopatcong, Phillipsburg, sort of the entire area, there's certain requirements, frequency of testing on the buildings, frequency of testing on the stormwater facilities, parking facilities so, you know, Mr. Ranger's firm is going to perform that work and they're planning to perform that work; they haven't done it yet. They're planning to do that in the coming weeks or a month or so and we'll submit that to the board so they're seeking, as you mentioned a temporary waiver. In terms of the stormwater, currently they're proposing to infiltrate a lot of that runoff from the site but frequently when we do the geotechnical testing; geotechnical or geologist that reviews the site, does not recommend infiltration because of the prevalence of sink holes and in 5, 10, 20 years, you'll have a giant hole in your parking lot if you're infiltrating water into the ground so, if that ends up being the case that it's not recommended, then basins will be lined and they'll have to provide an outflow for the water to be captured on site, the water will be trapped in the underground chamber and then slowly be released down stream which likely will be the result but we need to see the test first we know what the modifications to the details for the stormwater. We have not reviewed the stormwater from a technical perspective yet, certainly that will happen after this hearing should the board deem the application complete then we'll do the technical review of the stormwater design to confirm that it meets all the stormwater regulations.

Chairman Samson – So, that would mean that they would have to show, if they're going to move stuff around, it would just be a revision, it would not necessarily do anything to your architectural, it just

Engineer Ranger - It may change the foundation but yeah that would be hidden

Engineer Wisniewski – It wouldn't change the site layout it would just be things underground. Potentially being modified foundation design, stormwater details and things like that. So, I'm comfortable with a partial waiver or a temporary waiver

Attorney Bryce – Submission waiver. They'll have to provide it during the course of the application for submission purposes.

Engineer Ranger – So, that was one. Would you like to go through the waivers that we're requesting on the checklist as well so

Engineer Wisniewski – Sure

Engineer Ranger – and 2 is the applicant seeking submission requirements; a partial waiver for the location of existing and proposed water courses, trees over 4" in diameter except that where trees are in mass only to limits where it's proposed to remain it be shown or if proposed for removal of trees over 9" in diameter be shown signs by utility poles; utility pole size and also type of construction, building, principle and accessory and structures principal and accessory and railroads. So, the reason for the partial waiver there was, we were providing you put in an inset on, I believe it was Sheet 2 with an aerial plan, where we're showing an overall aerial of everything within 200 feet of the property. Our survey is limited; you can't go and survey adjacent properties. We did have about a 20-foot overlap on the surveyed items. There are no water courses within 200 feet or 300 feet of the property. There's no regulated areas within or NJ DEP regulated areas and we are currently, the site is wooded and we're proposing remove that and we're proposing a landscaping plan, Sheet 11 of the plan set, which I believe we're following the ordinance as closely as we can and that's the reason for the waiver request there. We're also requesting waivers from the analysis of the ability of the existing roadway system to accept additional traffic volumes. This is the one that we'll provide a traffic statement prior to the hearing so the board can review that and provide testimony. We will be submitting to the NJDOT, to the County where they have their traffic review as well. We're just getting the municipal application in first.

Chairman Samson - So, is there a difference between a traffic study and a traffic statement?

Engineer Wisniewski – A traffic impact statement usually, you know, gives the board a feeling of what the anticipated traffic volumes would be. It's not, you know, a corridor study of Rt. 22 or anything like that. It's more in support of the proposed driveways that are going to be constructed to give, again, the board an idea of what the expected sort of through the sites going to be, you know, how long people might be there, and that's also going to be included as part of the traffic study that will have to be submitted to the DOT and then part of, whenever we have these types of applications, we always ask the board to be copied on any correspondence or submissions to the DOT so, we will get the full traffic study when it is submitted to the DOT.

Chairman Samson – Okay, so we're okay with that.

Engineer Wisniewski – Yeah.

Engineer Ranger – Then it's C-location of existing and proposed buffer areas. I believe this was covered in the landscaping plan. This is in conjunction with showing the tree removal and everything.

Engineer Wisniewski – Yeah, I think so and we have the landscaping plans and we'll review that as well when we do the technical review.

Engineer Ranger – Item D was location, size of all proposed utility lines, telephone, electric, gas, water and letters from the facilities adequately to serve the site development. We will provide will serve letters. We didn't send them in; they just didn't make it into the package. There's only two proposed utility connections; it's the gas service and there's about along the

frontage that's buried but and then the electric connection as well. There is water across the street but unless the well serve comes back and the utility company and is okay, you know, with direction and drilling then we're going you know propose a well in front of and we are proposing a septic system as well and Item E is a waiver for completeness on the major development stormwater summary sheet. We will provide that prior to final approval. We're just looking for a temporary waiver on that if anything changes in the stormwater system will submit prior to final approval and Item 3, just is not applicable items like location, nature of the storage facilities, we don't have any storage, delineation of floodways; we don't have any floodways, proposed stages of development; this will be done in one phase. There is this schedule on the soil erosion plans and Item D is the presence of wetlands. There are no wetlands. C is the final major site plan checklist. Item 1a is the limestone study again. So, we will provide that, you know, prior to final approval and then 2a is layout of all business spaces on site and more than 100 feet showing location and dimensions. We show the location on that overall aerial plan; we don't have the dimensions of the adjacent properties parking layouts which is why we request the waiver. B is similar layout of existing and proposed off-street loading showing dimensions and location of onsite and within100 feet of the site so we're not showing the gas station and the collision repair loading areas or dimensions of them. C is profile of all sanitary sewer lines. We are proposing a septic system and it's currently under design so we're going to have to make it, you know, gravity there. The health department will do their review of the system and you know, it will combine them, you know, regulations.

Chairman Samson – He'll have that for the technical?

Engineer Wisniewski – Yeah, I mean, in terms of a septic system, you know, that's really deferred to the county health department for design and review. Certainly, the footprint is shown on the plan so, you know, once the grades are established, once the design is finalized and the grades are known, then those will be added to the plan. So, we'll get a copy of the health department approval for the septic and the plan that was submitted for that.

Engineer Ranger – Under 2d complete list of site improvements principal and accessory buildings by item and quantities each to be constructed, we will provide that prior to final approval. It will be an engineer's cost estimate we'll breakdown the numbers and Item 2e waiver for completeness of the major development stormwater summary sheet, you know, again, we'll provide that prior to final approval. Three, is not applicable again; presence of wetlands. We don't have any wetlands and that summarizes the report. That's all we have.

Engineer Wisniewski – They have to make a submission to the county planning board so that I think that Mr. Ranger pointed that out as well. They will be submitting to the DOT and to the county for review and approval. That will be a condition that will have to be satisfied prior to construction being permitted on site. We'll need an unconditional approval from the county, certainly soil conservation, health department. All of the outside agency approval will have to be in hand before construction begins but that is almost always a condition of approval at the board level.

Chairman Samson – Anybody on the board have any questions, comments?

Member Mengucci – The area in back as far as commercial spaces, is it your intent to rent that out?

Engineer Ranger – No, that will be revised on the full submission. That's just an error. It should be office space. This site is restricted by total trips based on DOT, so, it has to be an office.

Engineer Wisniewski – But it's not going to be tenant space?

Engineer Ranger – Uh I mean, it

Engineer Wisniewski – Or it might be leased out?

Engineer Ranger – It might be leased out as an office.

Engineer Wisniewski – I think that 's the questions. Is it going, right, is it going to be all, is it going to be single use on the site or will there be two uses potentially?

Engineer Ranger – I believe it's two; the office, whoever rents the office and then the dispensary.

Engineer Wisniewski – The dispensary is in the front.

Engineer Ranger -Yeah.

Chairman Samson – Any other questions, comments? Okay, so, it sounds like, you know, it's okay for us to, you know, they're going to do some things that we're asking here so,

Engineer Wisniewski – There's a few waivers for completeness purposes only but moving towards a completeness determination.

Chairman Samson – Go ahead Terry.

Member Lawler – Yeah, when you come back, will you have renderings of the sign (inaudible)?

Engineer Ranger – The sign, we can have that. I believe we had a detail of it but yeah, I know we have a rendering of the architectural building elevation. We might have one in the file. We have Sheet 15 of the plan.

Chairman Samson – Okay, hearing no other questions, comments

Attorney Bryce – This is the board's completeness determination only. If the board is inclined to deem it complete for purposes of moving the application forward, it would be deeming so complete subject to submission waivers for Ala, a submission waiver for B1b, submission waiver for B2a, a submission waiver for B2b, a waiver for B2c, a submission waiver for B2d and a submission waiver for B2e and then a full waiver for B3 and a submission waiver for C1a and submission waivers for C2a, b, full waiver for C2c, submission waiver for C2d and submission waiver for C2e and a full waiver for C3a.

Member Weeks – Are we going to waiver traffic control and just ell them its' okay in the roads they want that's in the plans without seeing what that road, highways doing. I mean, I got cut off this morning at work for the same exact company, same exact type of company that took my truck and shoved it into the curb. So, that is important to me that we know what that traffic control is.

Attorney Bryce – So, when it comes to the traffic control, it's just for submission only. They're going to be submitting the plan that's really going to be for on-site circulation and the jurisdiction, you know, frankly, it's going to be before the DOT and the county more than the municipality and it's a permitted use so, it's just for submission purposes.

Chairman Samson – Okay, so a yes vote will be that we deem them complete and the application will be moving forward. So, would somebody care to make that motion at this time

Attorney Bryce – With waivers specified.

Chairman Samson – With the waivers specified.

Member Lawler – So moved.

Member Mengucci – I'll second it.

Roll call: AYES: Members Lawler, Mengucci, Palitto, Weeks, Vice-Chairwoman DiLeo, Chairman Samson.
NAYS: None

Chairman Samson – Before we adjourn here, Beth wants to talk to us about the sign ordinance for the Township.

Secretary Dilts – We have a number of digital signs in the town, the high school has one, Architects has one, Atlantic Health has one and what prompted this was we got a call from Firehouse No. 2 to possibly change their sign to digital sign. I knew we didn't have an ordinance so it would be prohibited but we three already, we should fix this. So, I asked Dan Bloch Section 243-53 says no flashing, oscillating or animated sign of any type may be erected within the Township. We can ask Dan to draw up an ordinance for the town's consideration.

Discussion ensued by the board agreeing to have Planner Bloch put together an ordinance for consideration. Member weeks made a motion to have the ordnance prepared, seconded by Member Lawler. All in favor.

Adjournment – Motion to adjourn by Member Lawler seconded by Vice-Chairwoman DiLeo. All in favor.

Respectfully submitted,

Margaret B. Dilts

Secretary