

In compliance with the Open Public Meetings Act of the State of New Jersey adequate notice of this meeting has been mailed to The Daily Record and posted at the municipal building.

ROLL CALL:

Members Present: Steve Bedell, Joe Fleischner, Judy Johnson, John Mania, Dan Nelsen (7:30 p.m.), Nelson Russell, Brian Schaechter, Scott Van Ness, David Koptyra, Howie Weiss

Members Excused: Michael Koroski

Professionals Attending: Chuck McGroarty, Planning Consultant, Eugene Buczynski, P.E., Edward Buzak, Esq., Catherine Natafalusy, Planning Administrator

Professional Excused: Tiena Cofoni, Esq.

APPROVAL OF MINUTES

August 8, 2013 Public Meeting

Motion: Joe Fleischner
Second: Brian Schaechter

Roll Call:

Steve Bedell - yes
Joe Fleischner - yes
Nelson Russell - yes
Brian Schaechter - yes
Scott Van Ness - yes
David Koptyra - yes
Howie Weiss - yes

APPROVAL OF RESOLUTION

(Howie Weiss stepped down for the approval of this resolution)

Resolution #PB 13-19 – Kevin Dorlon – (Block 8500, Lot 19)

Motion: Nelson Russell

MR. BUZAK: Before it's seconded I'd like the mover to consider amending it to make it a motion to adopt this resolution subject to the replenishment of the escrow account. I understand from the secretary that the escrow account has been depleted. So I would ask that the motion be to adopt resolution PB 13-19 subject to the replenishment of the escrow account. Thank you.

MR. FLEISCHNER: Do I hear a second?

MR. SCHAECHTER: I'll second it.

MR. FLEISCHNER: Roll call.

MS. NATAFALUSY: Steve Bedell - yes
Joe Fleischner - yes
Nelson Russell - yes
Brian Schaechter - yes
David Koptyra - yes

MR. FLEISCHNER: I'll turn the meeting back over to Chairman Weiss.

MR. WEISS: Thank you Joe.

COMMITTEE REPORTS

MR. WEISS: Let's move to committee reports. Ms. Johnson do you have anything from the Mayor?

MS. JOHNSON: The Mayor has no report.

MR. WEISS: Okay Council report?

MR. MANIA: Just that our reorganization meeting will take place on January 2 at 7:00 p.m.

MR. WEISS: Also John before I let you off the hook on Tuesday night Council meeting did you hear anything about . . . was it a referendum on that piece of property down at the corner. There was a discussion about the property by the Temple . . .

MR. VAN NESS: To allow for the development of a right turn lane.

MS. NATAFALUSY: Oh Gene was there it was for the Green Acres diversion.

MR. WEISS: That's exactly what I'm trying to say.

MR. BUCZYNSKI: The Green Acres diversion?

MR. WEISS: Yes I know it didn't sound like I was saying that but that's what I was asking. Is there anything to report?

MR. BUCZYNSKI: Oh it was uneventful there was one person that had one question regarding if there was going to be a traffic light at the intersection. That was the only comment otherwise that was it for the hearing it took about 10 minute's maybe.

MR. WEISS: It's like a tenth of an acre correct?

MR. BUCZYNSKI: A tenth of an acre and we're getting 13 acres.

MR. WEISS: Okay thank you. Environmental Commission?

MR. RUSSELL: Nothing to report.

MR. WEISS: Okay ordinance committee?

MR. FLEISCHNER: Nothing to report.

MR. WEISS: Nothing from the street naming committee. David open space?

MR. KOPTYRA: No report.

APPLICATION #PB 13-26 – CHRISTOPHER PAGE / ALFRED STURM – (Block 2801, Lot 67)

MR. WEISS: Okay that brings us to our first developmental matter tonight PB 13-26 Christopher Page / Alfred Sturm. Seeking variances for setback coverage at 16 Lakeview Avenue, Block 2801, Lot 67. Mr. Sturm?

MR. PAGE: I'm Mr. Page.

MR. WEISS: Mr. Page. What we'll do Mr. Page is we'll swear you in and then I'll kind of give you some prompts as to what we're looking for.

MR. PAGE: Okay.

(CHRISTOPHER PAGE SWORN IN FOR THE RECORD)

MR. BUZAK: Please be seated state your name and address for the record spelling your last name sir.

MR. PAGE: Christopher A. Page (P-A-G-E) 12 Taylor Lane, Great Meadows, New Jersey.

MR. BUZAK: Thank you.

MR. WEISS: Now before we start maybe what we'll do is Catherine we'll put you back to work this is your first week back and welcome back. Why don't you just tell the Planning Board what the nature of this application is for the record?

MS. NATAFALUSY: Sure I believe Mr. Page has photographs of the property too?

MR. PAGE: I do I brought a couple of copies so that you guys can . . .

MS. NATAFALUSY: The property is located at 16 Lakeview Avenue it's in the R-4 residential zone district. The applicant's proposal is to construct a wood deck, an "L" shaped wood deck on the property. The variances required are encroachment in the front and rear yard setback as well as exceeding maximum building coverage. Lot 67 is a nonconforming lot within the R-4 zone where a minimum lot area of 10,000 square feet is required. As I said his proposal is to construct an "L" shaped wood deck, the proposal would situate the deck approximately 7 feet from the front lot line and 18 feet from the rear lot line therefore variances are required. Building coverage will equal 22 percent whereas 20 is the maximum permitted in the R-4 zone so a variance is required for that as well.

MR. WEISS: Catherine what's the bulk standard currently for a front yard?

MS. NATAFALUSY: 35 feet.

MR. WEISS: 35 feet the applicant wants to . . . the plan brings it to 7?

MS. NATAFALUSY: Yes.

MR. WEISS: And the front . . .

MS. NATAFALUSY: Well the existing dwelling predates the current zoning so it's a nonconforming structure in that zone district.

MR. WEISS: Okay so I'll ask the applicant those questions. Currently the bulk standards for rear setback is the same?

MS. NATAFALUSY: 35 as well.

MR. WEISS: Okay.

MR. PAGE: Would you like me to bring these up so you could take a look?

MR. WEISS: You I'll wait for you to introduce them and when you do we'll mark them. So here's what I'm going to do Mr. Page I'm going to kind of have you explain to the Planning Board the current situation, tell us about what's there now, what you want you build and why you want to build it in the way that you do. So I'll turn it over to you.

MR. PAGE: It's just a small house that's been there for a long time and I own it with Alfred Sturm and we're just fixing it up and I want to put this deck on there. I know it says it's 7 feet from the front but the house is already right there it's at the end of a dead end sort of. And it's bordered by DEP property on the back and on the sides.

MR. WEISS: How far would you say the house is from the front?

MR. PAGE: 7 feet I was informed but there's like a paper road there that's not actually a road I guess is how I would explain it.

MR. WEISS: Okay Mr. Page the photographs that you have . . . pass it down to Catherine and we'll mark them. There's a series of how many pictures Catherine three?

MR. PAGE: I took three.

MR. BUZAK: Three or four . . .

MS. NATAFALUSY: Scott and I were out at the property and there is frontage in front of the house. I mean people park there it's like a dead end.

MR. VAN NESS: And the front of the house is really almost the side of the house. It's really a property that you kind of actually have to go out and you go "oh" like it's set off in the corner at the end of a road it's no cul-de-sac the road just ends. And there's no . . . there's a house to the left of it which is kind of an odd shaped house.

MR. BUZAK: We need some testimony from the applicant. I mean I appreciate it but we need to get something on the record.

MR. WEISS: For the record we're going to mark these pictures, the set of three pictures A-1?

MR. BUZAK: Why don't we mark them A-1, A-2 and A-3 and Mr. Page perhaps what you can do is just I'll give you each one of these I'll mark this one A-1 with today's date 12/12/13. Mr. Page is this photograph, can you describe for the Board what this shows?

MR. PAGE: That's the side of the house it would be the right side.

MR. BUZAK: As you face the house it's the right side?

MR. PAGE: Well as your coming up Lakeview Avenue there you would see the side of the house here. I think the previous owner this was kind of like the front to them. They would park in the front there a little bit. I don't know how to

MS. NATAFALUSY: If you're coming up Lakeview, as your coming up Lakeview you see this side of the house.

MR. BUCZYNSKI: Is that the side that the deck is going to be on?

MS. NATAFALUSY: Yes.

MR. PAGE: So the house you'd be coming up the road and then the road goes to the left it's the last lot on the right sort of and it looks like the road goes straight but really there is no road there or anything. But from what I understand from the neighbor he called it a paper road for some reason.

MR. WEISS: So going back to photograph A-1 I see a door, how do you access that door now (inaudible).

MR. PAGE: There was an old concrete like one of those pre-formed steps going up to that, it was destroyed.

MR. BUZAK: This is A-2 is that the same door that we saw in the other photo or is this another door?

MR. PAGE: That's the same door and

MR. BUZAK: But a different angle.

MR. PAGE: And the front that you're looking at that has nothing on it no windows or anything that's where the road, that's the front. That's the front, I might put new sidings and windows and roof on it.

MS. NATAFALUSY: Mr. Chairman if you look at the survey that was submitted the deck starts at where he is saying is the front and wraps around to the back of the house. And on the survey you can see where the steps were.

MR. BUZAK: So the door is actually in the rear so to speak, or the side/rear as opposed to the front.

MS. NATAFALUSY: Yes side/rear yes.

MR. PAGE: Yes correct.

MR. BUZAK: And Mr. Page I'm going to show you what's been marked A-3 can you tell the Board what A-3 is?

MR. PAGE: That's the opposite side of the house that's the other side the left side.

MR. BUZAK: Okay the part again with no windows is the front?

MR. PAGE: Yes sir.

MR. BUZAK: Meaning fronting on Lakeview . . .

MR. PAGE: Fronting on the road front and talking to Catherine that's what they kind of called the front offset or setback. Now I made the "L" shape just in case. . . . I just wanted to bring the deck all the way to the front there because the parking is right there in the front where there are no windows or anything. And then if it was ever, I mean I don't know if I'm going sell it or if I would ever rent it or whatever I would do but I just thought bringing that deck all the way up to the front if there was ever a handicap or anything it would work for anybody who had to access the house. It's ground level there, the deck would be ground level at the front right on the ground basically and then it goes up towards the back.

MR. WEISS: So I think obviously there's two variances that are needed for this. One of them is obviously the front and rear yard setback which Ms. Natafalusy has explained that the property already doesn't conform to the standard which helps you a little bit.

MR. PAGE: Yeah the position I'm in now if I put a foot on that house anywhere because of the lot it wouldn't conform to today's setbacks.

MR. WEISS: Okay and the same with the maximum lot coverage at 22 percent, 2 percent . . . what's the square footage of this total do you know?

MR. PAGE: I have it written down. It's a small house; I think I have that written down here somewhere though.

MS. NATAFALUSY: What did you ask?

MR. WEISS: The question is what is the square footage of the proposed deck?

MS. NATAFALUSY: Oh.

MR. WEISS: Because I believe he had told us Catherine that

MS. NATAFALUSY: I have 432 square feet per my calculations.

MR. WEISS: Lot coverage is . . .

MS. NATAFALUSY: Building coverage, they exceed building coverage.

MR. WEISS: Okay they exceed building coverage which is 20.

MS. NATAFALUSY: 20 and this will be 22 percent.

MR. WEISS: So have you considered Mr. Page then reducing . . . it would be a 2 percent reduction? Gene is that a way to . . .

MR. BUCZYNSKI: Yeah.

MR. WEISS: Is there any way to reduce this deck by 2 percent?

MR. PAGE: Absolutely. This was just the way I drew it I'm a little new to the process I'm not going to play ignorance or anything. This is just the way I drew it for the proper size lumber and everything and then when it came through it came through at the 22 percent. And I said okay well I'll just leave it at that and if it's okay, okay if not I could take a foot off of the back or something if I had to.

MR. WEISS: My question is more that does that create a hardship for you? Obviously we try not to deviate to far from the bulk standards although you do have a preexisting condition. What would be the reduction?

MR. BUZAK: Mr. Page if you had to reduce the deck I assume that the 4 foot width going . . . the front of the house or the side of the house I guess that actually is right? That would remain you'd need at least a 4 foot wide

MR. PAGE: Yeah I think I'd want to keep that like that so you're not walking across the lawn and everything like that. So if I was to remove some I'd probably take it off of the back. The back, back.

MR. BUZAK: Now how far off of the house is the rear portion of the deck? I'm not sure there's a

MR. BUCZYNSKI: Like 12 feet?

MR. PAGE: Yeah 12 feet.

MR. BUZAK: That's 12 feet okay.

MR. WEISS: You're talking about the width of the deck from the house and out to the yard.

MR. BUZAK: So if you reduced it from there you'd do two things you'd reduce the encroachment into the rear yard and you'd also cut down on the amount of coverage. And what's the width oh it's 24 feet according to this drawing.

MR. PAGE: Correct.

MR. BUZAK: Across the back.

MR. PAGE: Yeah these I made right from that when I was up at the house. They should be pretty accurate.

MR. WEISS: Gene is it simple math to just say he can remove 8 feet of his deck?

MR. BUCZYNSKI: Whatever it is I'm just trying to see what the What's the size of the lot 10,000?

MS. NATAFALUSY: No.

MR. BUZAK: No.

MR. BUCZYNSKI: 10,000 square feet that's the minimum, what's the size of your lot?

MS. NATAFALUSY: 6,000.

MR. BUCZYNSKI: So 2 percent would be 120 square feet.

MR. PAGE: Is it 2 percent of the deck or is it 2 percent of the lot?

MS. NATAFALUSY: The lot.

MR. BUZAK: The lot.

MR. BUCZYNSKI: 2 percent of the 6,000.

MR. WEISS: So let me rephrase the question, can you reduce this deck by

MR. BUCZYNSKI: 120 square feet that's a lot.

MS. NATAFALUSY: That's a lot.

MR. BUCZYNSKI: That's a lot.

MR. PAGE: No I couldn't.

MR. BUCZYNSKI: You'd have to almost eliminate the whole back.

MR. PAGE: Yeah I'd have nothing.

MR. WEISS: Well that's why I asked okay so the answer is no you can't.

MR. PAGE: Correct sir.

MR. WEISS: Okay.

MR. PAGE: Thank you.

MR. WEISS: Okay so we've determined that any reduction to the deck that's proposed would cause obviously a hardship when we eliminate the deck itself so I think that's some positive testimony. Does anybody have any questions for Mr. Page?

MR. BUZAK: I have one.

MR. WEISS: Go ahead Mr. Buzak.

MR. BUZAK: What's surrounding you again? Did you say . . . you said NJDEP land, did I misunderstand

MR. PAGE: I call it State land but it seems like on all the tax maps it's called DEP.

MR. BUZAK: All right so are there any houses on either side of that house?

MR. PAGE: As you're coming up like I said and your looking out where the door is there is a house which would be to the right side its pretty far away. In between my house and the house . . . like if you were looking at the front like we're talking about in between my house and Tom Brown's house over here there is a piece, and I believe it's town property right in between it, it's a little sliver I'm not sure what it is. It's on the tax maps and everything I think its town owned.

MR. BUZAK: How about on the other side?

MR. PAGE: All of that is DEP property and in the back.

MR. BUZAK: Okay and how about behind you?

MR. PAGE: The nearest house is maybe

MR. WEISS: We're looking at a Google photograph.

MR. PAGE: I appreciate that.

MR. WEISS: Okay so I suppose if we review some of the testimony that we heard you have a preexisting nonconforming situation. You would agree to that kind of creates an exceptional situation (inaudible) do you agree?

MR. PAGE: Yes sir.

MR. WEISS: The property seems to be a little unique. Would you say the property is flat, is it steep, is it sloped?

MR. PAGE: It's flat where the house is it falls off a little bit in the back.

MR. WEISS: And obviously you even said the deck will be used for access into the door.

MR. PAGE: Correct.

MR. WEISS: Tell me about construction of the deck, are there other decks I know there's only one neighbor.

MR. PAGE: To the left there's a porch there like a 6 foot porch like farmhouse style the length of the house. That's wolmanized construction on the deck they have vinyl railing on it, it's covered.

MR. WEISS: So in relation to the neighborhood would the addition to this deck cause a hardship to the neighbors?

MR. PAGE: I don't believe so.

MR. WEISS: Are there other decks in the neighborhood would you say?

MR. PAGE: Probably yeah I mean it's close to the lake I think there's a lot of decks and everything I didn't really take note as to

MR. WEISS: So your home with a deck on it would not make your home stand out in differently

MR. PAGE: No I'm right next to that there's a deck right next door on the house right next door.

MR. WEISS: So it sounds like there's some negative criteria that Mr. Page just testified to that shows us that there won't be a negative detriment to the community. Maybe what I'll do real quick is let me open it up to the public if anybody from the public has any questions or comments about what was said. Please sir if you'd come to the podium state your name and address for the record.

MR. COOPER: My name is Bob Cooper I live at 13 Lakeview Avenue I'm diagonally across the street from Mr. Page's house. He's doing a wonderful job it looks great everybody is talking about the back of the house where the large part of the deck is. Nobody but there is going to see that back there so there's no issue at all and I think the deck could make the house look very nice. So between myself and the brother of the other owner of the house we're the only ones that can see it so it's looking good and I'm all for it.

MR. WEISS: Well that's perfect and I thank you for that.

MR. COOPER: Thank you.

MR. WEISS: That is very helpful information that's the concern sometimes of the Planning Board.

MR. BUZAK: Mr. Cooper are you at the intersection of Lakeview and Glenn?

MR. COOPER: Yes I am.

MR. BUZAK: Right at that corner?

MR. COOPER: Yes and if you can see the two roads they both end, not just a dead end not just a turnaround they end abruptly. So the road that goes in front of Mr. Page's house you would think is a driveway. So if ten people drove up the road five would say this is the front of the house, five would say this is the front of the house. So it's very (inaudible) you know it's all woods the DEP so there's no issue at all.

MR. WEISS: Okay so what Mr. Cooper just said, there will be no issue if this deck goes in. Does anybody else have any other questions? Dan.

MR. NELSEN: Not to complicate your application but just to simplify the future part of your application, the steps going onto this deck I didn't see them on the drawing. Where do you intend to put those because they may encroach more into the right-of-way. I'd just like to get it on the record now so there's no complications later.

MR. PAGE: I understand. On the door side if you look at the picture it slopes to nothing so really the walking onto that 4 feet there might be one step there may be on that end which has no windows there. That 4 foot that's come along the side that's how you'll get onto the deck right there.

MR. NELSEN: Okay I just wanted to put that onto the record. I think your situation is compounded by the shape of your property and the smaller size. So I'm glad to hear your neighbor's testimony also.

MR. WEISS: So in summary it sounds like Mr. Page has given us some positive and negative criteria as required by the Sate in the municipal zoning to make his case for the variance. I have nothing else for you Mr. Page do you have anything else to say?

MR. PAGE: No.

MR. WEISS: Does anybody have anything else, any comments? Ed, Gene?

MR. BUCZYNSKI: No.

MR. BUZAK: No.

MR. WEISS: Chuck?

MR. MCGROARTY: No.

MR. WEISS: Okay that being said let me entertain a motion for this application.

MR. NELSEN: So moved.

MR. WEISS: Okay we'll give that one, let's say Dan makes the motion and Mr. Mania I would assume that you'll second that motion?

MR. MANIA: Yes.

MR. WEISS: Okay thank you very much. Catherine you got that?

MS. NATAFALUSY: Yes.

MR. WEISS: Okay any comments? Seeing none, roll call.

MS. NATAFALUSY: Steve Bedell - yes
Joe Fleischner - yes
Judy Johnson - yes
John Mania - yes
Dan Nelsen - yes
Nelson Russell - yes
Brian Schaechter - yes
Scott Van Ness - yes
Howie Weiss - yes

MR. WEISS: Mr. Page congratulations the process is next month the resolution will be signed and memorialized.

MS. NATAFALUSY: January 16th.

MR. WEISS: And then at that point you can take the resolution to the Building office and go from there.

MR. PAGE: Obtain a permit?

MR. WEISS: At that point.

MR. PAGE: Thank you very much I appreciate your time.

APPLICATION #PB 13-29 – FRATELLI BERETTA USA INC. – (BLOCK 102, LOT 14)

MR. WEISS: Let's move on to our second developmental matter which is PB 13-29 Fratelli Beretta USA seeking an amended preliminary and final with variances located at 750 Clark Drive, Block 102, Lot 14. Gentlemen good evening.

MR. MONAGHAN: Good evening Mr. Chairman, members of the Board my name is Sean Monaghan I'm a lawyer at Schenk Price Smith & King in Florham Park, New Jersey I represent Fratelli Beretta USA Inc. and we're here on amended final site plan approval for 182,440 square foot building in

the International Trade Center. There are some variances required in connection with our application, I think just this week we requested that we get approval to build the project in two phases and let me explain why. The building is going to be a food production facility it will use a good deal of water in order to keep the machinery clean, there's an allocation permit required from the New Jersey Department of Environmental Protection we were advised that it's not a 90 day permit and could take more than 90 days to get. We would like to be able to start construction before the allocation for the production comes through. We can construct the office and warehouse use without needing the additional water so we can get a head start on construction. And we would like to build the facility as quickly as possible if the Board approves our application.

MR. WEISS: Variance is required for two phases?

MR. MONAGHAN: No it was not part of our original application I wanted the Board to know.

MR. WEISS: So if you just would continue Mr. Monahan.

MR. BUZAK: Mr. Monahan before you go forward I just said to the secretary I hadn't seen your actual notice before just now so forgive me because I hadn't had the opportunity to actually look at it. The application is denominated as an amended preliminary and final with variances. So is it true that you have final approval?

MR. MONAGHAN: There was a prior final approval yes.

MR. BUZAK: Okay and that's the final approval that was . . . Was that the final approval that was granted in August of this year?

MR. MONAGHAN: That's correct Mr. Buzak.

MR. BUZAK: Okay so we have that approval.

MR. MONAGHAN: Yes.

MR. BUZAK: Can you just for my purposes and perhaps for the Board, but certainly for mine explain to me what amendments to that preliminary and now final you are seeking so we can compare what you had with what we're amending. So we don't have to go through the whole site plan application that you already went through over a period of time.

MR. MONAGHAN: Certainly, succinctly we are proposing a larger facility adding square footage to the building. Mr. Ploussas our engineer would be able to get into greater detail but that's basically the changes a somewhat larger building.

MR. BUZAK: That's fine. It's much simpler than I thought so thank you. I'm sure Mr. Ploussas can put some meat on those bones.

MR. MONAGHAN: Yes.

MR. BUZAK: And as a result of that you need variances.

MR. MONAGHAN: That's correct.

MR. BUZAK: Okay and can tell us what those variances are? Tell me and (inaudible) probably knows more than I.

MR. MONAGHAN: Well some of the variances I believe we're going to address all of the variances that were raised in the engineer's and planner's letters. One is frontage on a public street, but as you know Clark Drive is a private street. So we don't have frontage on a public street but none of the buildings in that portion of the park do.

MR. BUZAK: Understood.

MR. MONAGHAN: There's a disturbance of a slope in the rear of the building which we'll get into in greater detail. We are proposing three flag poles and a pylon sign in front of the building for visibility. And in the rear of the building where this slope has to be disturbed we have proposed a retaining wall and the ordinance calls for terracing those walls and we have I think a very good reason why we would

like that variance for the retaining wall requirements. This is I think a classic C-1 situation here we have a very long but relatively narrow lot affected by very steep topography at the rear of the lot. And that is basically what's driving virtually all of our variances. We are also requiring a couple of waivers, there's a reference in the ordinance to street trees which was raised in I believe the engineer's report. It wasn't clear to me that street trees are required but we have a relatively narrow front yard so we're not proposing any, so if a waiver is required for that. Also we would like to rely on the environmental impact report and traffic report that were provided at the time of the original preliminary site plan approval which this Board granted twenty plus years ago. The environmental situation in the park we don't believe has changed that much and we think the traffic has improved over whatever the conditions were at that time before the park was built. Confirmation letters from utilities, because we are a use that uses more water than a warehouse or some of the other uses that are in the park we are working on a sewer agreement first and then New Jersey American Water said come back and we'll talk to them about the water use. Electricity and gas as the Board probably knows they are already installed in that area and they're right out in the street.

MR. BUZAK: So you're asking for a waiver from confirmation from the utilities as relates to water and sewer at this time?

MR. MONAGHAN: Yes we don't have letters from the electric or gas company either so to the extent that the Board wanted to see those in advance . . .

MR. BUZAK: Okay I would that the applicant would be content with having those as conditions if any approval is granted correct?

MR. MONAGHAN: Certainly, yes. And then lastly the parking formula that results in a very large number of parking spaces because it's a larger building. The use we will demonstrate I think doesn't require nearly so many parking spaces. We have proposed not to . . . the plan shows all of the required parking but we are proposing not to build 65 of those spaces because we just don't think that we needed it and it will reduce the amount of impervious coverage on the site. So that's the introduction of our application I would like to ask Mr. Simone Bocchini of Fratelli Beretta USA Inc. to come up and describe the company briefly and also the use that will be made of the site.

MR. BUZAK: Thank you Mr. Monaghan very much that sets the scene for everyone and I think everyone has got a better idea of what we're looking at. Sir could you just stand, raise your right hand and Mr. Monaghan could you just pass that Bible down and raise your right hand put your left hand on the Bible.

(SIMONE BOCCHINI SWORN IN FOR THE RECORD)

MR. BUZAK: Please be seated, state your name and business address for the record spelling your last name.

MR. BOCCHINI: Yes Simone Bocchini (B-O-C-C-H-I-N-I) business is at 210 Greens Street South Hackensack, New Jersey 07606. I am the president of the company.

MR. BUZAK: Thank you sir.

MR. BOCCHINI: Thank you first of all for having us here tonight and for giving us the time to look over our review application. Beretta is a company that has been in business for 201 years I'm proud to say that it's still a family business we are down to the seventh generation of the family running the company today. We are out of Italy as our main home for the business, we moved here to United States in 1997 and we are (inaudible) factory. We do sopressata, prosciutto, cold cuts that you can find in A&P, Shop Rite we supply most of the retails in the area as well as throughout the Country as with Sam's Club, BJ's or Cosco for example. We started our venture here in 1997 with a small operation in South Hackensack that we still have it's about 33,000 square feet. In 2010 we were forced to get a bigger space for logistic purpose just five miles down the road from South Hackensack but we knew it was a temporary situation. We are looking for a bigger space, I need to be honest with you we seek throughout New Jersey several areas and we stumbled across Mount Olive last May. We like the place, we like the environment, we like the feeling that you can give to our traditional 200 years company with a mountain, with the area, with the I'm going to say quiet that you can find out here. And we feel it can be the perfect scenario for our new facility in the east coast of the United States.

MR. MONAGHAN: Simone did you prepare a brief presentation that we included in our application?

MR. BOCCHINI: Yes I did.

MR. MONAGHAN: It's like a power point presentation right?

MR. BOCCHINI: It's a power point (inaudible) I believe you have a copy of all of that I am now going to go through all of the pages because I don't want to take too much of your time. But it's just giving you an overall presentation of the family and the achievement that we had throughout the years. The United States for us is a market that is very important it's growing a lot and we're in love with New Jersey. We can have another opportunity and go to some other different states but this is the area where we started that gave us success and this is the area where we want to grow. We are forecasting to employ somewhere in the neighborhood of 70 to 75 workers between office and production as well as computer engineers for our operation inside the company.

MR. BUZAK: Mr. Monaghan what we're going to do is mark this power point since everyone has it as exhibit A-1 that was the exhibit to which Mr. Bocchini was referring with today's date on it 12/12/13.

MR. MONAGHAN: Mr. Bocchini would you please describe to the Board the operations that will take place at this facility if the Board application.

MR. BOCCHINI: Yes. As I was saying before we are a salami manufacturing and ham, prosciutto, dry cured prosciutto manufacturing. Our operation is not invasive we have no extreme noise manufacturing process it's a very old craftsmanship production. We receive fresh meat once or twice a week so very limited traffic we're not going to have trailers going and coming every day. And we prepare the product in a long process. We receive the raw materials we treat them and add our secret recipe let's say and then the process start but it's not something you do today and is ready tomorrow morning. We make it this morning some of the items are ready in 30 days, some of the items are ready in 60 days. The prosciutto have to be (inaudible) here in Mount Olive is going to be ready 9 months or 12 months after the day we receive the raw material. So it's going to be something that is very authentic and I believe it's prestigious as well to be part of an operation that's so old.

MR. MONAGHAN: Mr. Bocchini the hours of operation at the facility, what do you anticipate that they would be?

MR. BOCCHINI: At the moment we anticipate one single shift with non-stop early in the morning because of the receiving of the raw materials or respectively between 6:00 a.m. in the morning to 5:00 p.m. in the afternoon. If the operation is going to be more successfully we may require to have a second shift moving along mostly for packaging in the second part of the day.

MR. MONAGHAN: Okay and Mr. Bocchini you mentioned that you did not anticipate truck traffic every day, 75 employees we probably anticipate 75 cars. In your experience do you expect a lot of visitors to the facility?

MR. BOCCHINI: To be honest with you we are building this plant to be our jewel in the United States and we are proud to have business coming from customers that I just mentioned before Cosco, Sams Club or Shop Rite or local retailers to come see the state of the art facility that we built up there. So we're going to have visitors, not a tremendous amount maybe once or twice a week, and as a matter of track flow we have a very stream line we don't have (inaudible), we don't have small vans coming to pick it up at our location we ship everything tractor trailers and they go everywhere in the Country. So we're not expecting to have a tremendous flow of trucks coming in or going out.

MR. MONAGHAN: Mr. Bocchini you mentioned that it was not a very noisy process, do you think that based on your experience with your other production facilities that there will be any noise that will be audible outside of the facility?

MR. BOCCHINI: No. We're only going to have some evaporators on the roof to extract air from inside the building but there's not going to make any excess noise compared to what you have today in that area.

MR. MONAGHAN: Okay and would the process generate any odors that would be detectible outside the building?

MR. BOCCHINI: No all of the odor will be contained inside the building and beside our operation doesn't generate any cooking smell because we only make one item that we cook is Mortadella and it doesn't generate any particular smell as a meat processing operation. It's not fresh meat processing its all dry curing process.

MR. MONAGHAN: And Fratelli Beretta USA Inc. and Fratelli Beretta the parent Corporation has a commitment to sustainability does it not?

MR. BOCCHINI: Absolutely it does.

MR. MONAGHAN: Any idea, intend to do any sustainable practices in connection with your operations in Mount Olive if the application is approved?

MR. BOCCHINI: Yes we have a very strict idea of maintaining recycling process for cardboard, glass, wood for pallets and we intend and we show on the site plan as a matter of fact an area of recycling of our waste let's say.

MR. MONAGHAN: Would you reuse any of the water that you use if possible?

MR. BOCCHINI: Absolutely it is possible we are going to implement as the latest technology available for using the . . . and reusing the water for our cooling cycles so for the chilling towers as well as some of mechanical operation of the facility.

MR. MONAGHAN: I have no further questions for Mr. Bocchini I would ask the Board if they want to ask him any questions.

MR. WEISS: I just have one question. Mr. Bocchini you told us that there's going to be about 70 employees.

MR. BOCCHINI: Correct.

MR. WEISS: Are they new hires or are these going to be people transferred?

MR. BOCCHINI: The transfer from our South Hackensack operation will be limited to probably to probably somewhere between 15 to 18 people our core of our business some of them are a little bit advanced in the age they will be the trainers for new hires in the location. As a matter of fact Beretta if the Board grant our request is planning to start an operation of hiring of people from the area of Mount Olive today bring it down to our South Hackensack operation and have them starting the training on the (inaudible) as well as the manufacturing of the salami.

MR. WEISS: Excellent answer. Anybody else have any questions?

MR. MANIA: I think any of the odors emitted there would be very appealing to the nose.

MR. BOCCHINI: Yes sir.

MR. NELSEN: You mentioned prosciutto, Sopressata, salami I didn't hear capicola.

MR. BOCCHINI: Yes we're going to make that one as well and we make Mortadella, cortalalla for the holiday . . .

MR. WEISS: Okay I see no other questions so I'm going to open it to the public if anybody from the public has any questions for the testimony that Mr. Bocchini just delivered? I see none, thank you very much.

MR. BOCCHINI: Thank you so much.

MR. MONAGHAN: I'd like to ask Greg Ploussas to join us and take us through the site plan.

(GREGORY PLOUSSAS SWORN IN FOR THE RECORD)

MR. BUZAK: Could you please state your name and business address for the record spelling your last name.

MR. PLOUSSAS: Gregory Ploussas (P-L-O-U-S-S-A-S) business address is 100 Matawan Road, Matawan, New Jersey.

MR. BUZAK: Thank you sir.

MR. MONAGHAN: Mr. Ploussas have you testified before this Board before?

MR. PLOUSSAS: Yes.

MR. WEISS: Does anybody on the Planning Board have a question for Mr. Ploussas? We accept Mr. Ploussas as an expert engineer.

MR. MONAGHAN: And a planner.

MR. WEISS: And a planner.

MR. MONAGHAN: Mr. Ploussas we don't want to stand on ceremony if you would please walk the Board through the elements of the plan and the amended portions.

MR. BUZAK: Yes Mr. Ploussas if you could focus on the amendments from what we had before that may short circuit the testimony and make it clearer.

MR. MONAGHAN: I have some handouts for the Board.

MR. WEISS: Mr. Monaghan too if you could tell us what your handing out we'll mark that A-2.

MR. PLOUSSAS: It's a small scale 8-1/2 x 11 maps of the renderings that we're going to be presenting tonight.

MR. BUZAK: All right so there will be several of them we'll mark them individually as you refer to them. Would that be easier?

MR. PLOUSSAS: Well there's four renderings I've collated them here.

MR. BUZAK: All right so let's mark these A-2, A-3, A-4 and A-5 in the sequence that they're packaged. Mr. Ploussas if you could do the same with yours and then you can refer to the appropriate one.

MR. MONAGHAN: If we could just for the record run through A-2 is a color rendering of the front part of the site plan. A-3 is an area map, A-4 is a interior building layout drawing, A-5 is a rendering of a view of the building from the street.

MR. BUZAK: Thank you Mr. Monaghan.

MR. PLOUSSAS: The lot itself just for housekeeping purposes is known as Lot 11, CON 4 in Block 102 it contains about 12 acres it has frontage on Clark Drive. Also as part of the application is Lot 14 it contains 6.6 acres to the north which is a lot that's owned by Public Service Electric & Gas Company but by agreement can be used for parking for both building 750 Clark Drive and is being used for parking now for building 850 Clark Drive. The building that we're proposing has a street address of 750 Clark Drive but is also has been known as Building C or Pad C and the only one on the Board that might know that would be John Mania because he was here when we got the preliminary approvals. The basic difference is that this building is slightly larger than the building that was approved in August. The building that had final approval in August was for 148,611 square feet on one floor with 257 parking spaces and it was a flex building broken down into a minimum of four tenants. This is no longer a flex building we're happy to bring a building to suit here finally and the total building is 182,440 square feet but the first floor area is 171,891 square feet with a total of a 176 parking spaces if they're all constructed now. We'll be asking for either a variance or a waiver to reduce that amount shortly. But that's the biggest difference, the size of the building is slightly larger, the amount of parking is slightly less and the building has actually shifted to the south about 20 feet from where it was before. Those are the only differences. The stormwater management system is the same, the sanitary and water connections are the same it's just for a slightly different one user builder. I brought with me a copy which is labeled A-3 it's a copy of the key sheet that we did for the New Jersey Foreign Trade Zone back in 1986 when one of the final approvals was granted. The reason I brought that was to show the Board

that at that point we had an approval for 176,247 square foot building on one floor. So in actuality the building that we're building now as far as the footprint is slightly smaller than what was approved in the 1980's. If Mr. Buzak or the Chairman or the secretary wants I do have a copy of that resolution from the 1980's with me.

MR. BUZAK: We don't need it at this juncture Mr. Ploussas but thank you.

MR. PLOUSSAS: The location of the site as most of you know you go down International Drive you make a left on Clark Drive and you make a right it's right adjacent to the building that's in front of you which is occupied by Seiko now it's known as 650 Clark Drive this would be just north of it 750 Clark Drive. It breaks into three uses it's a warehouse use, an assembly use, an office use. The warehouse use is 85,731 square feet, the assembly use is 75,575 square feet, and the office use is 13,585 square feet all on the first floor for a total of 171,891 square feet which is as I said slightly smaller than the 176,000 previously approved. There will be a second floor a mezzanine about a third of the way into the building that will consist of 10,549 square feet. This brings the total of the building first floors and second floors up to 182,440 square feet.

MR. WEISS: Greg what's that mezzanine going to be used for?

MR. PLOUSSAS: A warehouse, different warehousing operations.

MR. MONAGHAN: Our architect will talk about that.

MR. PLOUSSAS: I know the front of the building is office only first floor offices and in the back about a third of the way back there's a mezzanine for the warehouse people. But Frank Lisowsky will explain to you what's really up there. We're proposing a trash recycling facility to the rear of the building. I'm going to exhibit A-2 we're putting a trash recycling facility to the rear of the building. For circulation we have a continuous driveway going through the site starting at Clark Drive going west up around the site through the back of the site. Normally for these buildings we provided either a fire lane or an actual driveway in the back so this will be an actual driveway it can be used as a fire lane and then going back through the loading docks. By design of the entire park the loading docks for 650 and 750 face each other okay so that we have a loading dock area with no vehicular or visitor traffic and all of the parking is on the north side of the building in this location adjacent to the power line. We are providing screening along the wings of the loading docks; we have a total of 7 loading docks while the ordinance requires 6. There's four inbound and three outbound. Parking, we are providing a total of 176 parking spaces the ordinance requires a 171 parking spaces but you heard the testimony from Mr. Bocchini that he only expects 70 to 75 employees with (inaudible) visitors so we might need 85 or 90 so we're going to construct 111 to be safe and ask the Board that we be permitted to bank 65 of them. So if needed we have a total of 176, the majority of the spaces that are being banked are the ones that are under the power line in this location as shown on exhibit A-2 which are under the power line and furthest away from the visitor employee entrance which is up at the intersection of Clark Drive in the northeast corner. The utilities there's an existing water main in Clark Drive a 12 inch domestic and a 12 inch fire lane we'll be tying our water service into the 12 inch main that's in the street. There's sanitary sewer within Clark Drive and a portion of the sanitary sewer was previously extended up the site but because this building has been shifted about 20 feet that sewer has to be removed and relocated to a new location which is shown on the site plan. Stormwater management, I'll use this exhibit to show this a little bit better, I'm referring to exhibit A-3 which is the previous Fratelli Bocchini map, again this is Building C I've highlighted for you on your little handout. There's an existing detention basin under the power line just north of the property here's the location, and there's an existing retention basin with ponds to the south of the property in this location which as your going in on Clark Drive it's to your left, I'm sure everybody knows where that one is. The one under the power lines is pretty well hidden, you wouldn't know it's there unless you look for it. Across the street from the site by the way is not a control center anymore it's where Federal Express is. Anyway our stormwater management will be handled in those two basins the retention pond will handle water quality for us while the detention pond will have added to it before it gets there some bio-filtration swales under the power line in the parking lot and in addition we'll be infiltrating the stormwater runoff from the roof into the ground and we're providing an underground recharge infiltration basin.

MR. BUZAK: That's all consistent with the earlier approval is that correct Mr. Ploussas?

MR. PLOUSSAS: No it exceeds the earlier approvals because the earlier approvals were before the new stormwater management regulations and we're upgrading the system to comply with the current stormwater management regulations.

MR. BUZAK: Thank you.

MR. PLOUSSAS: So we talked about storm, we talked about . . . Sanitary sewer is provided in Clark Drive now from Clark Drive it goes into the Wills Brook interceptor which follows along the railroad bed and then empties into the Musconetcong Sewerage Authority. As I believe our attorney indicated our client is in the process of negotiating an agreement with the governing body for sewerage allocation. This project has a large amount of sewer allocation whereas the original project was just warehousing these sewage allocations were very low. The manufacturing needs far exceed that that's why they're renegotiating the agreement with the town. As soon as that is completed we've contacted the New Jersey American Water Company who services this area, they have told us they do have capacity or allocation to get us going but make sure you have the sewer tied up first. So we will be pursuing with both of them hopefully in the near future if this Board approves this project, actual agreements to enter into and then follow up with the necessary DEP permitting.

MR. BUCZYNSKI: Just one thing on that Greg maybe you want to mention to the Board the location of the . . . The possible location for pretreatment facility, perhaps you can go through that.

MR. PLOUSSAS: Yes okay if you look on your handout there's a little gray box up in the back here next to the recycling facility. We have met with the Musconetcong Sewerage Authority and provided them with some of our lab samples from the other facilities in New Jersey. The sewerage that goes to the Musconetcong Sewerage Authority quote unquote has to be domestic in nature. That's the definition of it okay but they're also certain limits as to the suspended solids, the BOD's, the PH and the temperature. The lab data that was provided to them indicates that there is no problem and that there's no pretreatment required. But just in case it is required we have shown a location in the back where we can construct a pretreatment facility before letting an office site.

MR. MONAGHAN: Can I ask you a question Mr. Ploussas? I wanted to see if we could identify a benefit to the public generally from the amended application. The infiltration and recharge and the bio-filtration meeting the new stormwater standards which the site does not reflect at this time, would you consider that a benefit to the public?

MR. PLOUSSAS: Yes. There is a retaining wall in the vicinity of the pretreatment plant. The retaining wall ranges in height anywhere from 1 foot to 14-1/2 feet. It's proposed to be a modular block retaining wall or I suspect a portion of it will be a rock cut wall, I believe there's rock back there. Your ordinance requires as a maximum of a 6 foot height for a retaining wall, we would request either a design waiver or a variance whatever is appropriate for that as for us to build 6 foot, step it back 6 foot, build 6 foot again and step it back we're chasing the slope. We'd be disturbing more critical slope than quite frankly is necessary or is worth it.

MR. WEISS: Greg would that wall need to be built if you don't build the retreatment center?

MR. PLOUSSAS: Probably not or not as high. There are . . . let me get into the critical slopes, there are critical slopes on the property and we have prepared a critical slope map which is page 12 of the application. There are moderate slopes which are 15 to 24 percent and critical slopes which are above 25 percent on the property. Critical slopes by ordinance you are not allowed to encroach on other than for I believe a driveway or a roadway. And we're asking to encroach on them here for the pretreatment facility. The total disturbance of the critical slopes is 3,825 square feet while the total amount of critical slopes on the site are 57,431 square feet. So we're asking for a waiver or a variance again I'm not sure because all of these are in the design section of the ordinance not the . . .

MR. BUCZYNSKI: The waivers.

MR. PLOUSSAS: Yeah the waivers okay. So for the critical slopes we're asking for a waiver to disturb 3,825 square feet and allow us to put a pretreatment facility there if required. Also there are moderate slopes on the property, there's 140,285 square feet of moderate slopes on the property and we are disturbing 5,892 square feet. If you go through the ordinance we are allowed to disturb up to 49,100 square feet and as I say we're only disturbing 5,892 which is 12 percent of the allowable.

MR. BUZAK: What was the allowable Mr. Ploussas?

MR. PLOUSSAS: 140,285. The reason for their waiver request is because of the exceptional slope on the property. Although we have 12.1 acres the vast majority in the back is a hill and goes up quite quickly. There's a flat area in the front from 0 to 15 percent which is the majority of the front but

then once you get to the back it just rises up and I'm sure some of you know up in the back there there's a water tower and there's a 12 inch fire main that goes through there.

MR. MONAGHAN: Mr. Ploussas can I ask you a question about that water tower? Does that water tower serve this property or does it serve the area in general?

MR. PLOUSSAS: It serves the area in general its part of the New Jersey American Water System.

MR. MONAGHAN: And we will be talking about the access road to that water tower in a minute won't we?

MR. PLOUSSAS: Yes.

MR. MONAGHAN: And does the applicant propose to improve access to that access road? In other words is it a dirt road now and the access to it will be across the paved roads at least until they start to climb the hill?

MR. PLOUSSAS: Yes. Currently there's a 12 inch water main that runs from I would say east to west more or less parallel to the existing power line property line, about 10 foot off. Also there is a dirt road and then it ultimately goes up the hill. There's an existing 12 inch water main going up here which then goes up and keeps going until it gets to the tower back here up in the road here. And there's a dirt road that's either over it or parallel to it so we're proposing to relocate that dirt road to come between the recycling facility and the possible treatment facility. We're going to gate it off and the reason for that is these slopes are too severe to travel even with a four by four so we're gradually going up the slope and we're going to replace . . . make it a stone base.

MR. MONAGHAN: Mr. Ploussas if that water tower is a piece of public infrastructure would you consider the improvement of the access to that water tower to be a benefit to the public generally?

MR. PLOUSSAS: Yes I would.

MR. MONAGHAN: Thank you.

MR. BUCZYNSKI: Just one thing Greg as far as the design to the rear of the building with the access drive and the retaining walls that's very similar to all of the other buildings on that side of Clark Drive correct?

MR. PLOUSSAS: Yes, yes there's nothing different on all of those buildings back there there's either a driveway or an access drive or a fire lane.

MR. BUCZYNSKI: But you still have retaining walls pretty much on each of the lots too in the back.

MR. PLOUSSAS: Yes, yes. What happened initially when the site was first developed is for Stage II, its called State II the original buildings were smaller and as the original tenants moved out we added to the back of the building there was room to expand and was part of the approvals but more importantly they all required more parking. A warehousing facility requires a lot less parking than an office or an assembly facility. So as the years have gone by we've added parking to the rear of the buildings and as Gene points out that has been making us push into the mountain where the situation that we have on Lot 11 now is not unique it's happened on all of the lots in front of us.

MR. BUCZYNSKI: Also regarding design waivers a lot of the deficiencies the design waivers but the retaining wall is a variance, a couple of variances.

MR. PLOUSSAS: I think maybe we should try and cover the either design waivers or variances individually to make sure I got them all.

MR. MONAGHAN: Frontage on a public street, I had tried to summarize the argument in favor of a variance or waiver for the frontage on a public street. Because Clark Drive is not a public street, but let's say it was do you see any impairment of the intent of the ordinance or detriment to the public by fronting the property as it does on Clark Drive.

MR. PLOUSSAS: No, no Clark Drive although is a private street was designed as a public street. It has a caraway width of 40 feet; the paving is in accordance with township standards and if needed it could have a right-of-way surrounding it of 60 feet. I know the previous developer has more than once

offered to dedicate it to the township and the township didn't want to take it. But I'm sure the offer still remains. The road does comply in all respects to township standards.

MR. BUCZYNSKI: I think that the township's position still remains too.

MR. MONAGHAN: With regard to critical slopes I think you gave a pretty detailed analysis of it but let me ask you do the disturbance to allow the . . . is the recycling facility appropriately located in the rear of the building?

MR. PLOUSSAS: I believe so, yes.

MR. MONAGHAN: Keeps it out of public view . . .

MR. PLOUSSAS: Keeps it out of the view it's in the back where it doesn't bother anybody. As I said by design we have the loading docks facing each other and some of the other smaller users that don't have the need for such recycling facility have their dumpsters there and their cardboard compactors there but we didn't think here would be appropriate because we believe their recycling facility is going to be a little more intense than the others. So we wanted to put it in the back of the building where it is totally hidden from public view and wouldn't bother anybody.

MR. MONAGHAN: And likewise it's the appropriate location for a pretreatment facility if required and it's not sure and in fact the indication so far . . . What indications have you had so far that the pretreatment facility will be required?

MR. PLOUSSAS: The indicator so far is that it will not be required.

MR. MONAGHAN: Okay but if it is required is the appropriate location in your opinion the rear of the building in your professional opinion as a planner.

MR. PLOUSSAS: Yes.

MR. MONAGHAN: And so to locate those facilities in the rear of the building and still maintain that fire lane or accessible driveway they are at the rear of the developed portion of the property correct?

MR. PLOUSSAS: Yes.

MR. MONAGHAN: And that requires some impingement on the slope.

MR. PLOUSSAS: Yes.

MR. MONAGHAN: Do you see any negative aspect of this that would outweigh the benefit that we mentioned before of providing improved access to the water tower or locating the recycling facility and the pretreatment facility in the appropriate location at the rear of the building.

MR. PLOUSSAS: No I do not see any negative impact on this location.

MR. MONAGHAN: Thank you. We'd like to address the signs and flag poles whether it be a waiver or variance. The applicant . . . well please describe what the proposal is with respect to the signs and flag poles. If you want me to wait for Mr. Lisowsky I can do that.

MR. PLOUSSAS: No, no let me get the right exhibit. We're actually proposing three signs on the property okay, two located on the side of the building one is a Type Sign M and a Type Sign H. And I believe in Mr. McGroarty's report he indicates that both of those signs are in accordance with the township regulations governing same. That being Section 400-95B(5) of the ordinance. The relief we need for signs is for a pylon sign in front of the building it's on the northeast corner of the building. Its located 1 foot setback from the property line and 19 foot from the building and it is 15 foot high where the ordinance allows 10 foot height, and its 5 foot wide. So the area where we need a waiver or a variance is the height. It exceeds 10 feet it's going to 15 feet and the ordinance also indicates that it would have to be setback 10 feet from the right-of-way line although there is no right-of-way line here. It's a private street so I'm not sure that portion of the ordinance is considered here as valid here. But in any event if it is we'd be asking for a design waiver or a variance. And the reason for it is this building has been set along Clark Drive just like all the rest of the buildings which is 30 feet from the curb. This was a design that was done by the Master Planner 25, 30 years ago when they set up the park. And there's utilities behind the curb up to the property line which could have been right-of-way line okay so

to put in footings there for a sign is not a good location because we would have to deal with relocating utilities but it would still be within inside of the Clark Drive property. So we decided to put it outside a foot away on our client's property and the reason we wanted it to be 15 foot high is for visibility. A 10 foot high sign you can't see from anywhere. It's visible to the motoring public and the visitors coming down the street to see them.

MR. WEISS: I thought we heard testimony that there won't be public coming besides clients and customers.

MR. PLOUSSAS: Well that's what I meant the clients, visitors which are customers. In addition in the front the client would like to put three flag poles, they're shown on the site plan.

MR. MONAGHAN: Mr. Ploussas do you believe the flag poles would contribute to the aesthetics of the overall development?

MR. PLOUSSAS: Yes I do. Our architect will give you an idea of the flavor of the aesthetics of the front of the building. These are not meant . . . The front of the building is the office part and it's not going to be your typical precast concrete tilt up building which is along the road there now. So in order to dress up the area along with the pylon sign we'd like the ability to put up three flag poles.

MR. MCGROARTY: Just if I may though Greg, the flag pole as I said before the flag poles are not the issue. It's just . . . and I'm not saying there's any issue but the ordinance doesn't permit commercial flags. So flag poles are not a concern and as I indicated you could just identify what flags would be there if you know and if one of them are . . . one or more are commercial in design that would be a variance.

MR. MONAGHAN: And I'll state for the record then I've spoken with the client the flags would be the United States flag, the Italian flag and the third pole would alternate. On occasion it would be the flag of Fratelli Beretta on other occasions it would be the National flag of any customers who are coming to the facility so they switch that out. So we are requesting a variance to fly the Fratelli Beretta flag when another flag is not being substituted. So I wouldn't say all the time but a good deal of the time so that's a variance we're requesting or a waiver.

MR. MCGROARTY: And they're both variances.

MR. WEISS: Greg go back go to the sign are there other businesses, other properties in the area that have 15 foot high signs?

MR. PLOUSSAS: Yes, 550 Clark Drive has a pylon sign that I believe is 20 foot high maybe higher, previously there were pylon signs in the front of the original Seiko and BMW buildings which were higher but have now been taken down as those facilities have changed hands.

MR. NELSEN: Mr. Chair? Greg was there flag poles?

MR. PLOUSSAS: Yes.

MR. NELSEN: Are they each 15 feet high?

MR. PLOUSSAS: No the flag poles are proposed to be 32 foot high, the sign is 15 foot high.

MR. NELSEN: There's three flag poles . . .

MR. PLOUSSAS: Yes.

MR. NELSEN: At 32 foot high.

MR. PLOUSSAS: Yes.

MR. NELSEN: Are they all the same?

MR. PLOUSSAS: Same height?

MR. NELSEN: Yes.

MR. PLOUSSAS: Yes.

MR. MCGROARTY: By the way the pylon signs are not as we might typically think and I'm sure everybody has been in the Trade Zone at some point, these are like monument type signs with the larger structures.

MR. PLOUSSAS: Yeah its 5 foot wide by 15 foot high the same material as all the other Trade Zone signs. There was a manual developed years ago for the International Trade Center, parts of it have been incorporated into the ordinance but that's what the sign would look like. And the architectural plans on sheet 2 there's a detail of the sign.

MR. NELSEN: Okay and the flag poles, going back to the flag poles for a second they're 32 foot high one is going to be an American flag, one is Italian flag, and one is the company flag and perhaps sometimes the flag of a visitor. Flag etiquette dictates that the American flag flies higher than any of the other flags with it or near it.

MR. PLOUSSAS: Are you asking me or telling me?

MR. NELSEN: Telling you.

MR. PLOUSSAS: Then I agree yes.

MR. NELSEN: And I'm sure you know that. But I'm just wondering is that pole dedicated to the American flag or is there . . .

MR. PLOUSSAS: Well no if quite frankly I have not focused on the design of the flag poles but yes we would then dedicate one pole for the American flag which would be the highest pole.

MR. WEISS: I don't think this Board has any control over etiquette of flags though. I hear your excellent point I don't think we can enforce that.

MR.MANIA: I'm sure the applicant is aware of that.

MR. MONAGHEN: And Mr. Ploussas the flags will they be taller than the building? I mean the flag poles?

MR. PLOUSSAS: The front of the building will be 16 foot high I believe and Frank will verify this, which is the office portion, and the rear of the building will be 36 foot high.

MR. MONAGHAN: Okay so the flag poles will not be taller than the highest point on the building. We have had some discussion with regard to the retaining wall I think you indicated that from a Planning point of view there's a benefit to the construction of those walls to allow improved access to the water tower. Do you see a negative impact on the either the intent of the ordinance or the public in general from the construction of the retaining wall in the way that we described.

MR. PLOUSSAS: No because we were minimizing site disturbance, minimizing impervious areas and all of that is in accordance with the best management practices which New Jersey is requesting developers to follow now.

MR. MONAGHAN: I believe also Mr. Buczynski had included a reference to Section 400-72 of the ordinance regarding street trees along Clark Drive. Do you believe that installation of street trees along Clark Drive would benefit the public or improve the development in any way?

MR. PLOUSSAS: No that's why we're not proposing them. And I have a question in my mind if street trees are actually required along Clark Drive because it's not a public road.

MR. BUCZYNSKI: (inaudible) street trees on the other portions of Clark Drive but on behalf of your client too you have two proposed Maples in the front of the site too even though they're not street trees they're not located as street trees it still has landscaping in front.

MR. PLOUSSAS: The fascade of this building is much different than the warehousing that's out there now and Frank my partner will explain that to you. And the intent here is the owner did not want to hide the building he wants the building shown, he's proud, he's spending extra money on the fascade it's not going to be a simple tilt up. And we are providing seasonal ground cover, flowers in front of the building that will be changed out every season. In addition there's extensive landscaping provided on

the north side of the building as you can see on the rendering. So it's not that we're trying to save the cost of the shade trees we're just relocating them to other areas on the site where we believe they're better suited.

MR. WEISS: Gene that's a waiver request?

MR. BUCZYNSKI: Yeah I think it makes sense to just consider it a design waiver for that. I don't think it's a problem.

MR. MONAGHAN: And Mr. Ploussas with regard to the banking of the 65 parking spaces you described the reason for them I'd like to ask you whether you think that not constructing those 65 parking spaces at this time impairs the intent of the ordinance.

MR. PLOUSSAS: No it does not.

MR. MONAGHAN: And do you think there's a benefit by not constructing those at this time?

MR. PLOUSSAS: Yes the benefit is reducing the amount of impervious coverage which reducing the amount of stormwater, reducing your pollutant loads and I know this Board in the past has been in favor of banking spaces. Not eliminating them saying that you'll never build them but just bank them so they're there if you need them.

MR. MONAGHAN: And there's improved characteristics of stormwater management, would you consider them a benefit to the public in general?

MR. PLOUSSAS: Yes.

MR. WEISS: Greg just to repeat what you told us too if in fact you do bank the 65 spaces they will be located under the power lines in the event that you might need them one day.

MR. PLOUSSAS: The majority of them. There are actually I believe 8 of them on the south side of the building yes.

MR. WEISS: Okay.

MR. MANIA: Greg the purpose of banking would that be for the possibility of future expansion?

MR. PLOUSSAS: Well the site is pretty well developed now there might be some expansion so if it's needed for expansion we have to look at the uses then and the traffic numbers. How many people are going to actually going to occupy the building to see if we could use them I guess ask for a waiver or if we need to find more parking.

MR. BUZAK: Mr. Ploussas if I might, what do you propose or perhaps Mr. Monaghan what do you propose is the trigger for building those spaces and who is going to hold that trigger and who is going to pull that trigger?

MR. PLOUSSAS: Well usually what I would suggest is the applicant would make a request of either the town engineer or the zoning officer to be allowed to build those, or if ordered by either one of those.

MR. BUZAK: So you're willing to . . . both side will be able to pull the trigger, either side will be able to pull the trigger . . .

MR. PLOUSSAS: Yes.

MR. MONAGHAN: But I would expect that to be based on some change in the use or other circumstances of the property. At some change from the conditions that prevail at the time the approval if the Board grants it as a basis for the so called trigger.

MR. BUZAK: Well the difficulty with banking spaces is A) reserving space for title purposes which we need to deal with and we will. Not necessarily tonight but if the Board approved we would have some information in the resolution. But the second thing is the trigger and you know there are situations that develop where the municipality believes there needs to be more parking spaces placed

and the applicant would just as well not spend the money to put them in. So typically when we draft these things the township or the municipality will have the discretion to require it, period. The applicant can always request it but we can't have the Board or the municipality subject to the applicant's negative reaction to say well no we're not going to do that. The municipality has the control that of course the applicant if he desires to he can come in and then deal with that. I think that's probably the way it will be handled.

MR. MONAGHAN: But no change circumstances requirement or . . . I mean the basis for requiring it, I guess that's what I'm trying to get at.

MR. BUZAK: Well the basis for requiring it is that's what the ordinance says. So that's what you should be putting in and we'd be finished. You've asked for a variance we'd have enough spaces it's based upon our standard that's set forth in the ordinance so that's the way it will be. If the applicant comes to the Board and says look we don't want to have that many spaces because we don't think we're going to need that many we're only using 75 people and the Board says all right under these circumstances we'll allow that but we want to have the right then to be able to say no you have to build the other spaces. Because that's what you should be building in the first place. So I think that that's probably the way it's going to be drafted but we'll leave that to the Board to sort out.

MR. MONAGHAN: Okay thank you Mr. Buzak.

MR. WEISS: Scott?

MR. VAN NESS: Actually I agree with that completely and I think that any areas that are not designed for parking spaces should prohibit the parking. Such as the driveway around the back of the building should be noted that it is a fire lane and posted as such.

MR. PLOUSSAS: No well actually the plans I think have been given out to the Fire Marshall for his review and comment on . . .

MR. VAN NESS: But regardless of whether he comments on it or not.

MR. PLOUSSAS: Okay not a problem.

MR. MONAGHAN: All right we asked for a waiver on the environmental impact statement, a traffic report, I think it's been consistently the position with regard to this property and I wouldn't propose to spend any more time on that unless the Board has questions about it. Yes sir.

MR. BUZAK: When you came in for your final back in August (inaudible) was there in fact a report at that time?

MR. PLOUSSAS: No they were waived then also.

MR. BUZAK: So was the environmental report was back when they were originally . . .

MR. PLOUSSAS: Yes in the 1980's.

MR. BUZAK: Just want to make sure we have it right. Thank you.

MR. MONAGHAN: And we've also discussed the waiver we've requested with regard to providing confirmation letters from the utilities. I will tell you that I spoke with my partner John Ersin before we came out here tonight there is an agreement with regard to allocation. It has not yet been memorialized but they're working forward to doing that and we certainly would recognize that that allocation sewer allocation be a condition as with all of the other required permits of any approval that the Board might grant with regard to this application. There was another item in Mr. Buczynski's letter about acknowledgement across easements. I just wanted to say we are very familiar with the numerous cross easements that are in place with regard to the park and I wanted to point out to the Board that on the south side of the building there is a shared driveway with the next door property, is that 650 Greg?

MR. PLOUSSAS: Yes 650 Clark Drive.

MR. MONAGHAN: There will be a new cross easement put in place because now we'll be developing the rest of that driveway on the 750 Clark Drive property and it will be, as you can see from

the rendering, a common driveway between those two buildings and there will be an easement to support that. That's all of the questions I have for Mr. Ploussas.

MR. PLOUSSAS: The only last thing I'd like to cover with the Board is our request for phasing of the project. Just yesterday I sent Catherine a letter requesting that the Board consider phasing the project. Do you have a copy of it?

MS. NATAFALUSY: The Board should have it in their packets.

MR. PLOUSSAS: I think as our attorney explained before and as I've indicated this is not a spec. builder he wants to start building in March or April if we can. And there is one other permit for the water allocation which is not what is called a 90 day permit. What I mean by a 90 day permit, by law the DEP has to act on certain permits within 90 days of the date they receive them. The water distribution permit is not one of them it could take 60 days, it could take 90 days, it could take 180 days. So that the applicant would like to start construction of the building if we phase it. And the way to phase it is that we build the entire office first which is 13,585 square feet and then the rest of the building be considered a warehouse. And we build the shell so we build the entire shell, once we have our permit from DEP for the additional water that we need we'll then go to the Building Department and ask for a building permit to convert a portion of the warehouse to assembly. So phase I would be 182,440 square foot broken into warehouse and office and a phase II would be the conversion of a portion of the warehouse to assembly and we would not be increasing the square footage at all the total would still come out to 182,440 square feet.

MR. BUCZYNSKI: Mr. Chair on that?

MR. WEISS: Go ahead Gene.

MR. BUCZYNSKI: And I had discussed this with Greg too, at some point if the Board approves this and it goes to the governing body for a developer's agreement there's going to have to be a hold harmless to allow them to start construction without some really rough sewer and water. So that's going to be the next Board's meeting probably go to the town because you're not going to get a developer's agreement normally if you don't have sewer and water for the site. You won't have it most likely at that time.

MR. PLOUSSAS: Right we understand that.

MR. BUCZYNSKI: So that's beyond this but when you get to the next stage for the developer's agreement . . .

MR. BUZAK: Well your suggesting Mr. Ploussas that you will at the time that Phase I is constructed under your phasing plan that you will have adequate, let's focus on water, at that time.

MR. PLOUSSAS: Yes for Phase I.

MR. BUZAK: And if you never get the balance of the water allocation the building would still be 13,585 square feet of office and the balance warehousing.

MR. PLOUSSAS: Yes.

MR. BUZAK: And what about sewer is there an issue with regard to sewer allocation? I know Mr. Monaghan just indicated that there was an approved but not yet memorialized agreement is that correct Mr. Monaghan?

MR. MONAGHAN: That's true.

MR. BUCZYNSKI: The allocation (inaudible).

MR. BUZAK: Okay.

MR. PLOUSSAS: There is no issue with the sewer, the Musconetcong Sewerage Authority plant has the capacity also we've met with them there is no problem. But they come under the 90 day rule I will have my sewer permits by April or May it's the water permit we may have it but we don't want to take the chance.

MR. MONAGHAN: Right and it's not all water to the site it's the allocation of the water that we'd be needing for the production. So there would be water to the office and warehouse use at the time of the initial construction.

MR. BUZAK: Understood thank you.

MR. WEISS: Steve go ahead.

MR. BEDELL: Is there any concern that you won't get the permit from the DEP for the additional water? Is that even a concern or is that just a process?

MR. PLOUSSAS: Well I mean I can't answer for the DEP but I'm sure my client will not make the investment unless he is sure that water is forthcoming. It's a business decision.

MR. BEDELL: I mean so if Phase I is being built and you're trying to obtain the permit, you don't get the permit then Phase II just never happens.

MR. PLOUSSAS: That's correct.

MR. BEDELL: Okay.

MR. MONAGHAN: We believe the capacity is there, New Jersey American cannot act without the approval from the DEP for the transaction with us. So it's not that there's a shortage of water it's just that the DEP has to sign off.

MR. PLOUSSAS: And on top of that New Jersey American won't talk to us until we have the Planning Board approval. So there's steps that are required here.

MR. WEISS: I think what we should do, Gene we kind of referenced your report.

MR. BUCZYNSKI: They had mentioned a few more items in there to discuss. Do you want me to go through the rest of it at this point Mr. Chair?

MR. WEISS: Yeah please.

MR. BUCZYNSKI: Yeah Greg on page two it's a simple one under C) Technical Items: number one you just have to revise the plans to that note.

MR. PLOUSSAS: Not a problem.

MR. BUCZYNSKI: You know Item 2 you already discussed regarding the water company. Have they discussed that there's no problem with the relocation of the road or they won't talk to you at all about anything?

MR. PLOUSSAS: I have not had a face to face meeting with them. I have been trying for over a week now but they're hard people to get a hold of.

MR. MONAGHAN: But as we indicated we think its improving access to the road. As you said now it's hard for a 4 by 4 to get up there.

MR. BUCZYNSKI: I don't think it will be a problem it just has to be done. Item four regarding Fire Marshall, they have the plans now? Have you heard from them?

MR. PLOUSSAS: I have not heard from them.

MS. NATAFALUSY: Excuse me they did review the plans he said you need a fire lane. That's what I got back from them. All he said was need to see fire lane.

MR. BUCZYNSKI: Okay do you have that yet?

MR. PLOUSSAS: No, no could you make me a copy or send me a copy and I'll . . .

MR. BUCZYNSKI: You have to contact him.

MR. PLOUSSAS: Yeah I'll give him a call and we can just either meet or discuss it over the phone and as Mr. Van Ness requested we'll show the fire lane.

MR. BUCZYNSKI: So it needs to be shown on the plans.

MR. PLOUSSAS: Yes.

MR. WEISS: So it sounds like you'll agree to add the fire lane as required.

MR. PLOUSSAS: That's right.

MR. BUCZYNSKI: Items 5 and 6 were pretty much discussed, 7 there's no comments in 7, we already discussed where you stand relative to the EDU's from the Budd Lake Sewer Project not DEP. But that's already been in the works at this point. Same thing about item number 9 we discussed, item 10 you need recertification I think you have it don't you?

MR. PLOUSSAS: Not for the current plan.

MR. BUCZYNSKI: Okay. Item 11 I think there's a note on the plan regarding that too that we need the design calculations for the retaining wall.

MR. PLOUSSAS: Yes there is.

MR. BUCZYNSKI: Design waiver for the parking which we've discussed. Item 13 was just a note, 14 we discussed as designs waiver is needed and that's really it. Everything else was pretty much discussed in your presentation.

MR. WEISS: Are you satisfied that those have all been addressed satisfactorily?

MR. MONAGHAN: Yes.

MR. BUZAK: And the applicant is willing to comply with the requirements and recommendations as set forth in the engineers report?

MR. MONAGHAN: Yes.

MR. WEISS: Greg are you done with your presentation on the engineering?

MR. PLOUSSAS: Yes.

MR. WEISS: Does anybody on the Planning Board have any questions for Mr. Ploussas? So what I'll do is I'll open it to the public if anybody in the public has any questions for Mr. Ploussas based the testimony he's delivered? Seeing none from the public Greg thank you very much.

MR. PLOUSSAS: Thank you.

MR. WEISS: Wait before you go, before you step down now you also delivered some planning testimony. Chuck let me turn it to you if you wanted to go through any open items that were in your report.

MR. MCGROARTY: No Mr. Chairman the two variances for the commercial flag and that's been described and 15 feet versus 10 feet I think is . . . I think the difference is insignificant and I think in terms of the height I think it's well designed. So I don't see any issues there.

MR. WEISS: Okay and so your report has been satisfied and addressed.

MR. MCGROARTY: Well yes I'm just bringing them to your attention but yes I . . .

MR. WEISS: Okay perfect thanks Greg.

MR. PLOUSSAS: Thank you.

MR. MONAGHAN: I'd like to call the architect Frank Lisowsky to testify.

(FRANK LISOWSKY SWORN IN FOR THE RECORD)

MR. BUZAK: Please state your name and spell your last name for the record please.

MR. LISOWSKY: My name is Frank Lisowsky (L-I-S-O-W-S-K-Y).

MR. MONAGHAN: Mr. Lisowsky do you have a degree in architecture?

MR. LISOWSKY: I'm a licensed architect in . . . let me go backwards. I'm a graduate of Syracuse University I have graduate work in architecture at Columbia University and I'm a registered architect in many states including New Jersey and I hold an NCARB which is the National Council of Architectural Registration Board certification.

MR. MONAGHAN: And have you ever testified in front of a Planning Board before?

MR. LISOWSKY: I've probably testified in probably 30 or 40 Boards in this state and in other states yes.

MR. MONAGHAN: Have you ever testified in front of this Board?

MR. LISOWSKY: I've never testified in front of this Board.

MR. MONAGHAN: Okay but I would still offer Mr. Lisowsky as an expert in architecture.

MR. BUZAK: 41.

MR. WEISS: Any questions for Mr. Lisowsky? We will accept Mr. Lisowsky as an architect expert, welcome.

MR. LISOWSKY: Thank you.

MR. MONAGHAN: Thank you Mr. Lisowsky would you please walk the Board through the architectural drawings that were provided as part of this application.

MR. LISOWSKY: Yes I will.

MR. MONAGHAN: And you can from time to time refer to A-4 which is part of the handout.

MR. LISOWSKY: Right I'm going to start with that. At the risk of being redundant my partner Mr. Ploussas went through all of the square footages of the building, I'll quickly go through what we have taken which you have in front of you originally filed which is colored rendering of it. There are four basic areas the total building including the ground level and the upper level is 182,000 plus square feet. It's actually 182,440. It's broken into four different areas; the area that we're talking about that we mentioned before that was brought up that we'll spend more time on was the area that's in the front that's noted in like a mahogany color that's the administrative end or office area. Okay I'm going to describe that in elevation a little bit. And then the back side of this is the warehouse is the orange tone color, and these green areas is assembly area and then there's a small portion on the upper level that's approximately 10,549 square feet, that area sits over the top of that and that's the second level it's not really a mezzanine but it's an upper level that's used by the employees. There were some questions on it but the way that I understand how it functions we've done a lot of work with this in conjunction with our client and his team of architects and planners from Italy. And a lot of this is their input but the way that this function is that this level here the employees themselves enter that area go upstairs and there's changing rooms and locker rooms and that's (inaudible), and that's how they're permitted to go from one area to the other area. They are not allowed to cross between them. But we have on the south side we have the loading areas, we have the receiving area at the rear here and then we have the assembly area and the warehouse and then back to the, at the receiving and the packaging area and then we have the loading dock for receiving where the trucks leave. That's really how the plan works overall.

MR. MONAGHAN: Please describe the exterior of the building.

MR. BUZAK: This is also mark A-5 Mr. Lisowsky I believe?

MR. MONAGHAN: Yes it is.

MR. LISOWSKY: Mr. Bocchini described and Mr. Beretta is aware of, they wanted a structure that reminded them of Italy. This is the Mount Olive Alps back this is the site and what their trying to do is create something that's one with nature, trying to get something that would fit in that site. Not typical of what you would see in an industrial park it's basically what you don't see there now. What we've created is a small, small shorter element that's two forms. Large forms in back using earth tones using nature as the guide and earth materials, the front portion of this is going to have a wood texture, the back is to be a brown kind of industrial dark brown matching brick that was the industrial traditional practice. The front area is meant to be low to hide the back floor and it's actually designed to float. It's cantilevered in the front and the wood screening in front of that that's designed there is basically to create that effect. There are (inaudible) spaces in the back, all of the front offices have glass behind this and they also open to the other side. One of the features that they have here is that this has green space in the front, it has green space in the back between the two and there's a slight connection between this office to the warehouse in the back. And then obviously in the back it blends to the trees up the hill. This project here was designed to fit on that site exactly what's there right now (inaudible).

MR. BUZAK: So the office portion right in the front will have just according to the A-4 two access points into the main building correct?

MR. LISOWSKY: That's correct. The only entrance to this area is here, there are two connectors to the warehouse portion and then these offices function separately.

MR. VAN NESS: What will be between the two buildings? The two sections.

MR. LISOWSKY: Grass area, greenery there's glass in here and there's glass out here and so from the inside you get the feeling of nature.

MR. VAN NESS: It's accessible?

MR. LISOWSKY: Yes. I'm sorry accessible you said? No. This is not accessible to the office.

MR. VAN NESS: So you're going to plant grass but never be able to maintain it?

MR. LISOWSKY: We're going to landscape it we haven't worked out all of the details up yet. But it's going to be green space.

MR. WEISS: Your concern Scott when you talk about access, access to get in there to maintain the grass?

MR. VAN NESS: Yeah.

MR. LISOWSKY: Well there will be a way of getting access for servicing and what not but the idea when you're in these office spaces or in those corridors you're seeing windows and glass. And this is about 16 foot space in there it's substantial.

MR. MONAGHAN: And Mr. Lisowsky that's not intended to be used as a rest area or a recreational area or anything like that?

MR. LISOWSKY: No, no.

MR. MONAGHAN: The atriums I think that you have provided on the north and south side of the office building.

MR. LISOWSKY: Right well these are probably 30 by maybe 36 feet landscaped areas that are atrium that have glass that open to them. Because of the front of these spaces these are closed areas of walls, solid here but in this space here that glass area opens to an atrium that's roughly 900 square feet. It's a good size, it's well landscaped you can see the landscaping that we're proposing through there.

MR. BUZAK: What will the front of the main building have? Will it be windows, glass along the front (inaudible) also?

MR. LISOWSKY: Well it's going to be glass but it's going to be glass behind the . . .

MR. BUZAK: No I meant the . . .

MR. WEISS: After the 16 foot

MR. BUZAK: After the 16 foot strip on the other drawing.

MR. LISOWSKY: This is going to be a precast element in back.

MR. BUZAK: So if you're in the warehouse building will you be able to see that 16 foot strip at all? Will there be any glass there . . .

MR. LISOWSKY: No, no, no. You'll be able to see from the office side in but not back. It will be like a back drop inside.

MR. BUZAK: Very good thank you.

MR. WEISS: Does anybody have any questions for Mr. Lisowsky? We have none here so let me open it to the public, is there anybody from the public have any questions for the testimony he just delivered? And I see none so I'll close it to the public. Gene, Chuck, Ed do you have any questions?

MR. BUZAK: I have none.

MR. BUCZYNSKI: I have nothing else at this point.

MR. WEISS: Anybody from the Planning Board? Nelson?

MR. RUSSELL: Tell me a little bit more about the recycling area what are we recycling here?

MR. MONAGHAN: I don't want to testify but I would remind the Board that Mr. Bocchini testified cardboard and wood are the two primary recycling materials, boxes and pallets.

MR. RUSSELL: What happens to waste product? You've got meat carcasses coming in; you've got bones going out apparently.

MR. MONAGHAN: I would have to ask Mr. Bocchini to come back and answer that based on his experience with the process as it is now. I would suggest that we finish with Mr. Lisowsky and then ask Mr. Bocchini to come back.

MR. WEISS: Does anybody else have a question? Thank you.

MR. MONAGHAN: Mr. Bocchini you're still under oath we have a couple more questions about the operation if that's all right?

MR. BOCCHINI: Yes absolutely.

MR. MONAGHAN: Mr. Nelson asked what happens with material that doesn't make it into the finished product?

MR. BOCCHINI: Generally we sell it we have a way of using, once we receive the meat we receive everything boneless as a matter of fact for (inaudible) or jowls or belly and we actually trim the fat and this fat becomes part of another product that we make or we have a venue of pasta filling or some other manufacturing that require this part of trimming or cuts and used for that. As the bone in prosciutto the bone as well is sold to other manufacturing, not a food product that are reused in this product for commercial use.

MR. WEISS: Very interesting thank you. Anybody else while Mr. Bocchini is here? John can you confirm what we've heard?

MR. MANIA: Yes I can.

MR. MONAGHAN: If I may just to sum up we have presented what we think is a project that fits in with the well planned and existing industrial park. We believe the use is exactly what's intended under the ordinance. This will be a state of the art facility as Mr. Bocchini testified we presented evidence that the site is long and narrow and it's affected by extreme topography which has resulted in the building being set close to Clark Drive but we've also heard testimony that that's consistent with the other

buildings in the area. We're still meeting setbacks and it did impact on a couple of items which we talked about the flags and signs and it also helps to minimize the encroachment on the slope. Mr. Ploussas our planner testified that the negative aspects of the application are quite minor and outweighed by the positive aspects of the project as a whole including benefits to the public such as improved access to the water tower which is a piece of public infrastructure and the installation of the state of the art stormwater management systems which will result in direct recharge to the area and biofiltration of stormwater runoff. We propose that benefits outweigh detriments and that the variances and waivers requested could be granted without impairing the intent of the ordinance. We thank the Board for their consideration and look forward to your deliberation.

MR. WEISS: Thank you Mr. Monaghan. Ed maybe you want to summarize that there's . . . I had note of one condition and maybe you want to summarize for the Board that if we were to move forward on an approval the motion would include certain things that you would bring up.

MR. BUZAK: Yeah there would be the normal conditions Mr. Chairman that we have and in addition to those compliance with the requirements of the engineer's letter of 11/26/13 as modified through the course of discussion that there be a condition that there will be no parking in areas not designated for parking. Obviously granting the variances that were sought related to the frontage on the public street, the slope disturbance, three flag poles with the commercial flag on one the pylon signs, the retaining walls, and the waivers as it related to . . . assuming that the Board makes the determination, street trees, the waiver of the EIS and traffic, confirmation letters from utilities gas, electric, water and sewer will all be conditions of approval they'll be waived for the purposes of the application. And a reduction in the number of parking spaces as noted with the banking of the I think it was 65 Mr. Monaghan?

MR. MONAGHAN: That's right.

MR. BUZAK: Parking spaces. The resolution will detail how that is triggered but we noted it in the colloquy between myself and Mr. Monaghan. That's it Mr. Chairman.

MR. BUCZYNSKI: Revise the plans to show the fire lanes per the Fire Marshall.

MR. WEISS: Those were the two things I had which was revise plan to show the fire lane but just to add to one of your comments when you noted pylon sign just to be a little more specific. The request was to go to a height of 15 feet from 10. Right I know you pointed out we were going to address the pylon sign, pylons signs are allowed but their variance request to 15 feet.

MR. BUZAK: Very good.

MR. WEISS: My notes were exactly as yours.

MR. BUZAK: Very good.

MR. WEISS: That being said with the modifications and conditions Mr. Buzak will anybody make a motion.

MR. MANIA: I'd would like to move approval of PB 13-29 for Fratelli Beretta USA Inc.

MR. NELSEN: Second.

MR. WEISS: Any comments, any discussions?

MS. NATAFALUSY: Who was the second please?

MR. WEISS: That was Dan. Seeing no comments, opposed. It wouldn't be right unless I opened it to the public for any last minute comments. Seeing none from the public Catherine roll call please.

MS. NATAFALUSY: Steve Bedell - yes
Joe Fleischner - yes
Judy Johnson - yes
John Mania - yes
Dan Nelsen -

MR. NELSEN: I would like to say an excellent presentation by all of your staff. The only thing where it could have been improved perhaps is a small platter. But yes.

MR. BUZAK: The record should reflect that was said facetiously.

MS. NATAFALUSY: Nelson Russell - yes
 Brian Schaechter - yes
 Scott Van Ness - yes
 Howie Weiss - yes

MR. WEISS: And I'll also say the same yes Mr. Bocchini and I thank you for choosing Mount Olive. We look forward to a very long lasting partnership and business relationship your business in our township.

MR. BOCCHINI: We do the same and we wish obviously all the Board thanks for the approval and thanks for welcoming us to Mount Olive.

MR. WEISS: We look forward to seeing you again.

MR. BOCCHINI: Absolutely thank you.

MR. MANIA: It will also be a pleasure to see the Italian flag flying next to the American flag in the Trade Zone.

MR. BOCCHINI: Absolutely.

MR. WEISS: Before we adjourn a couple of notes on housekeeping. Next week . . .

MR. FLEISCHNER: Gene I saw that there was a letter that the Environmental Protection turned down the water allocation for the dome soccer field complex? What recourse now do they have? They said they didn't have enough water they calculated in the letter that with the pool and everybody flushing toilets there was not enough water.

MR. BUCZYNSKI: I haven't even seen that.

MR. FLEISCHNER: There was a letter sent to the town Council to that effect.

MR. MANIA: What was that Joe?

MR. FLEISCHNER: That the DEP turned down the water allocation for the place that they're going to put up this dome soccer for Center Court. It was in the correspondence . . .

MR. MANIA: I didn't see it, I didn't get it.

MR. BUCZYNSKI: Was that for water or stormwater? Stormwater right?

MR. FLEISCHNER: I think stormwater.

MR. BUCZYNSKI: That's being addressed yeah they're mixed up.

MR. FLEISCHNER: It was a concern that I had . . . yeah okay I'm sorry I apologize.

MR. BUCZYNSKI: It's under discussion back and forth.

MR. FLEISCHNER: Thank you.

MS. NATAFALUSY: Did I miss the announcement we're cancelling next week?

MR. WEISS: I was ready to say that. So that being said we are going to cancel next week's meeting which will bring us to the end of the year this will be their last Planning Board meeting of the year and we've projected our reorganization meeting Catherine will be . . .

MS. NATAFALUSY: January 9. We do have a tentative meeting date I did send you that so that will be adopted at the reorganization meeting.

MR. WEISS: So January 9. That being said I have no other further business except to wish everyone a very happy holiday, healthy. And Scott?

MR. VAN NESS: I'd like to make a motion to adjourn and Happy Holidays.

MR. WEISS: All in favor?

EVERYONE: Aye.

(MEETING ADJOURNED AT 9:00 P.M.)

Transcribed by:
Lauren Perkins, Secretary
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