

GREEN TOWNSHIP LAND USE BOARD MINUTES

REGULAR/REORGANIZATION MEETING, February 11, 2021

CALL TO ORDER: The February 11, 2021 Regular/Reorganization meeting of the Land Use Board was called to order by the Land Use Attorney, Mr. David Brady, at 7:03pm. He then led everyone in the PLEDGE OF ALLIGIANCE.

Recitation of the OPEN PUBLIC MEETING STATEMENT by Mr. David Brady.

OATH OF OFFICE: Given to reappointed members of the Board. The following members were given the oath: Mr. Conkling, Mr. DeYoung, Mr. Lynch, Mrs. Mullen and Mr. Wilson.

ROLL CALL: Present: Mr. Joe Cercone, Mr. Dan Conkling, Mr. Jim DeYoung, Mrs. Jenny Kobilinski, Mr. John Lynch, Mrs. Sharon Mullen, Mr. Mike Muller, Mr. Rick Wilson and Mr. Scott Holzauer.

Also present: Ms. Jessica Caldwell, Board Planner, Mr. David Brady, Board Attorney and Mr. Cory Stoner, Board Engineer, Ms. Kim Mantz, Board Secretary

Members Absent: Mr. James Chirip, Mr. Watson Perigo

Nominations for Chairman of the Land Use Board:

Mr. Brady opened the floor for nominations for Chairman. Mr. Cercone nominated Mr. Scott Holzauer for Chairman of the Board. This nomination was seconded by Mrs. Mullen

Mr. Holzauer accepted the nomination. Mr. Brady closed nominations.

Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzauer.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Mr. Holzauer read his Oath of Office for Chairman.

Mr. Holzauer, Chairman, Presiding.

Nomination for Vice Chairman of the Land Use Board:

Mr. Holzauer opened the floor for nominations for Vice Chairman.

Mr. Wilson nominated Mr. Joe Cercone for Vice Chairman of the Board. This nomination was seconded by Mr. Conkling

Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzauer.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Mr. Cercone read his Oath of Office.

Motion was made to excuse the absent members by Mr. Conkling and seconded by Mr. Cercone.

No Discussion. All in Favor. Motion Carried.

REORGANIZATION RESOLUTIONS:

Motion was made to appoint Mr. David Burton Brady as the Land Use Board Attorney by Mr. Conkling and seconded by Mr. Muller
Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzauer.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Motion was made to appoint Mr. Cory Stoner as the Land Use Board Engineer by Mr. Conkling and seconded by Mr. Muller.
Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzauer.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Motion was made to appoint Ms. Jessica Caldwell as the Land Use Board Planner by Mr. Conkling and seconded by Mr. Muller.
Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzauer.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Motion was made to appoint Kim Mantz as the Land Use Board Secretary by Mr. Conkling and seconded by Mr. Muller.
Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzauer.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Motion was made establishing the regular meeting schedule from January 2021 through February 2022 by Mr. Conkling and seconded by Mr. Muller.
Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzauer.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Motion was made to designate the NJ Herald as the official newspaper by Mr. Conkling and seconded by Mr. Muller.
Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzauer.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Motion was made to establish an Application Deadline Schedule by Mr. Conkling and seconded by Mr. Muller.
Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzauer.

All Ayes. No Discussion. Motion Carried. Abstentions: none

MOTION TO APPROVE MINUTES:

Land Use Board Minutes of November 12, 2020

Mr. Wilson motioned to approve minutes and was seconded by Mr. Lynch. No Discussion. All Ayes.

Abstentions: Mr. Conkling

OLD BUSINESS: None

NEW BUSINESS:

Application: PB#1208

Owner/Applicant: Ridge Rock, LLC

Block 31 Lot 1.09 – off Airport Road, Andover, NJ 07821

This application began at 7:13pm

Ms. Ward, attorney for the applicant, began with a brief explanation of the preliminary and final site plan approval from 2013 for the Ridge Rock flex space building. She explained there were some minor changes to the exterior which was part of why they are back before the Board. This is a relatively small building due to the detention basin on site along Airport Road.

Mr. Brady swore in the applicant, Mr. Bob Occhifinto.

Mr. Campbell, engineer/planner for the applicant, was sworn in as well.

Mr. Campbell started with presenting Exhibit A-1, dated 2/11/21, this was the same document the Board saw as Exhibit A-1 on 6/12/14. Ridge Rock is the first building from Airport Road which was approved in 2013 for site plan. This building is smaller than the others with a footprint of 140 x 100.

Mr. Campbell provided a picture of Ridge Rock under construction and explained the changes to the exterior of the building. Although the exterior concept has changed slightly a few times since the approval, the applicant wants to go back to the 2014 design with the white walls with blue glass windows which keeps the entire complex uniform.

Mr. Stoner asked Mr. Campbell to clarify which design the applicant will be using, the 2012, 2014 or 2019.

Exhibit A-2 was submitted which shows the variations of the exterior over the years titled “Right Side Elevation - Facing Airport Road”. Mr. Campbell confirmed it was the 2014 design.

Exhibit A-3 is the original site plan presented to the Board in 2012 and had revisions through June 2013. It is just as it was approved and has had no alterations as of 2013.

Mr. Campbell addressed a question from Mr. Stoner’s report about the utilities. The utilities are proposed for the back of the building. He explained how rear of the property is flat for about 20-30 feet and then there is a steep embankment that goes up and around on the east side and they are open to the utilities on the west side. All utilities will be on a pad in the back buffered from the road.

Mr. Campbell submitted Exhibit A-4, dated 2/21, titled “Floor Plan for Ridge Rock, LLC”. This is to show the construction plan for the tanks in the building which coincide with the nature of the use which Mr. Occhifinto will expand on later in the testimony. The site plan is unchanged. Lighting, footprint, parking requirements, loading and trucking (which will be considerably less) is consistent with all prior approvals.

Mr. Campbell stated this building could easily be converted to another type of use with some changes made to the interior.

Mr. Occhifinto explained the Ridge Rock building would be used for a breeding operation for his fish farm located at Forest Flats in the back of the complex. The fish would be transferred from this front building to the building in the back. The utilities would be a backup generator, heating, a/c, the normal utilities a building would use. He stated there would only be 2-4 employees and there would be some overlap with the Forest Flats Fish Farm employees.

Mr. Conkling asked about the exterior lighting that is escaping the property at Oak Run and he is concerned about the lighting at Ridge Rock. Mr. Occhifinto addressed his concerns by stating he believes the Oak Run lights were installed incorrectly, he will fix them and make sure that all lights at Ridge Rock are down facing. There will be interior lights on for safety.

Ms. Caldwell stated she has no issues and any of her questions have been addressed during testimony.

Mr. Stoner had a question about the building layout and deliveries. Mr. Occhifinto stated the deliveries would go through the overhead door in the back. There will not be any large tractor trailer trucks so any vehicles can back right up to the door. Mr. Campbell confirmed the area is suitable for a typical tractor trailer to make deliveries if necessary.

Mr. Stoner questioned the original floor plan and asked if the only change were the tanks. Mr. Occhifinto explained the concept was the same for everything except the big open floor which was flex space is now going to be the water tanks.

Mr. Occhifinto explained these tanks are salt water and 100% recycled. The used water goes into a centrifuge where the waste is cycled out and the clean water get recirculated back into the tanks. Fish waste will be properly disposed of in accordance with regulations.

Mr. Occhifinto explained the construction was different from Oak Run in that this building exterior is all galvanized material, painted with 4 inches of insulation so it doesn't rust and can be washed down. He hopes to have this building done within 4 months. He anticipates Forest Flats will be done by this time next year.

Mr. Holzhauser acknowledged there was no public in the building. The public portion was opening and closed.

A motion was made by Mr. Conkling to approve the "amended architectural and site plan" and change of use and seconded by Mr. Muller.

Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzhauser.

No Discussion. All Ayes. Abstentions: none

This application ended at 7:59pm

Ms. Ward asked whether the Board would entertain a discussion on Cedar Peak. This lot is on right side all the way in the back next to Forest Flats.

Mr. Campbell stated the site plan approval was given in 2014. The proposal was to be a regional warehouse facility and it was designed to have all the parking and loading areas common with any flex space facility. The applicant would like to change this building into a canning facility for his NVE business on Whitehall Road.

The original design for Cedar Peak was for custom storage with a max of 20 employees, hours of operation that were typical of the entire complex, parking configuration with banked parking in the rear. With this change of use, the site plan will not change.

Mr. Campbell went over the change parking regulations since the approval of this building which lessens the number of spaces needed. He stated he would provide those parking numbers at a TRC, he does not believe it is necessary to go to the full Board.

Mr. Occhifinto explained he has a canning facility on Whitehall Road that used to manufacture 8oz. soda cans but since they changed their packaging to the 12oz. slim cans they need more space because empty cans take up an incredible amount of the facility. This facility on Whitehall Road originally started at 35,000 square feet and has since been expanded by 15,00 square feet for a total of 50,000 square feet and it still isn't big enough. Cedar Peak would be built to accommodate a canning facility similar to the one on Whitehall Road. There is no pollution and there would be about 20 people on site at a time.

Mr. Conkling had concerns about discussing this without notice given. Ms. Ward explained they are not looking for an approval they just wanted to give the Board a heads up and to see how to proceed. Mr. Brady requested the applicant submits more information to the professionals to help determine how to proceed with either a new application or just a simple TRC.

Mr. Stoner has concerns about the proposed changes with noise and how different is it from the testimony all those years ago. After a brief discussion the applicant will most likely come to a TRC and then possibly proceed to the Board.

Announcement of Standing Committees:

Technical Review Committee – Mr. Holzhauer, Mr. Muller, Mrs. Mullen, Mr. DeYoung and Mr. Conkling as an alternate.

Ordinance/Master Plan Committee – Mr. Holzhauer, Mr. Wilson, Mr. Cercone, Mr. Lynch and Mr. Muller as an alternate

Personnel Committee – Mr. Holzhauer, Mr. Chirip, Mrs. Kobilinski, Mr. Wilson and Mr. Conkling as an alternate

• **ATTORNEY’S REPORT** – Mr. Brady spoke briefly about the Annual Zoning Report and why it is required. It helps the governing body see patterns in which ordinances may need to be changed or modified.

Motion was made to memorialize the Annual Report by Mr. Muller and seconded by Mr. Wilson

Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzhauer.

No Discussion. All Ayes. Abstentions: none

He also briefly explained the resolution to Adopt Remote Meeting Protocols. The Open Public Meetings Act was amended to allow for remote meetings during certain situations. This led to the Department of Community Affairs adopting regulations which were then adopted as provisions in the NJ Administrative Code. This resolution explains our process and empowers us for any virtual meetings we may have. It also explains how notice is given for a remote meeting and that anyone giving testimony must be visible on camera while presenting.

Mr. Wilson asked a question about Executive Session. Mr. Brady responded by saying he didn’t feel it was necessary to add to the resolution. These protocols are more to protect the authority of the Board and the powers we have during the remote meetings. He asked about the dates on the resolution and the page numbers. Mr. Brady will send a new copy to Kim tomorrow with the changes.

Mr. Conkling explained the executive session for the Township Committee is done on an entirely separate zoom call. The TC pauses the general meeting and then calls into an executive session meeting. When that is finished, they hang up and rejoin the general meeting.

Motion was made to approve the resolution for Remote Meeting Protocols by Mrs. Mullen and seconded by Mr. Wilson

Roll Call Vote: Mr. Cercone, Mr. Conkling, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Muller, Mr. Wilson and Mr. Holzhauer.

No Discussion. All Ayes. Abstentions: none

- **CHAIRMAN'S REPORT** – None
- **CORRESPONDENCE** – Kim addressed the letter from the Mayor of Hopatcong
- **SECRETARY'S REPORT** – Kim asked for any changes for the contact list and she will send out an updated contact sheet in the next couple weeks.
- **PROFESSIONALS REPORT** – None

Mr. Conkling spoke briefly about the possibility of a solar farm on the airport property that won't be seen from the road.

There was a very brief discussion about the potential applicant for the nano-brewery about why they are no longer interested in the Kennedy Road site.

Mr. Conkling announced the Township Committee is trying to get the Rail to Trail beyond Route 611 to Allamuchy. They are working on a route with the Open Space Committee. They are also working on the portion from Creek Road to Route 603 which looks like it will be done this summer.

The Township Committee continues to push Elizabethtown Gas Company to bring natural gas to Green Township. They are hoping it will be brought down Airport Road and up Creek Road towards Pheasant Run. In addition to this they have been working with Altice to bring internet to portion of Green that do not have it.

A Motion was made by Mr. Danny to adjourn the meeting at 8:34pm and seconded by Mr. Wilson.
All Ayes. No Discussion. Motion Carried. Abstentions: none

Respectfully Submitted:



Kim Mantz, Land Use Board Secretary

Date approved: March 11, 2021