OLDMANS TOWNSHIP

PLANNING BOARD MEETING

February 18, 2025

A meeting of the Oldmans Township Planning Board was held on February 18, 2025. The meeting was called to order by Sandy Collom at 7:00 pm. This meeting was held in compliance with the Sunshine Law.

Members Present: Sandy Collom, Theresa DeSanto, Mike Tuturice, Stephen Wilson, Justin Schaller, John Pomponi, Spyros Apessos and Melinda Taylor.

Professionals: Michael Ierino, Solicitor

SWORN IN: John Pomponi Class III One Year Term

Spyros Apessos Alternate #3 One Year Term

MINUTES: January 21, 2025 Reorganization Meeting

January 21, 2025 Regular Meeting

Steve Wilson made a motion to approve, Mike Tuturice seconded and all agreed who attended the prior meeting.

CORRESPONDENCE: NJ State Planning Commission Cross Acceptance Public Meeting

Wednesday, February 19th beginning at 5:00 Salem Community College

Carneys Point Planning Board – Public Hearing for Cannabis

Affordable Housing – 4th Round Timeline Schedule – Memo from Brian Slaugh, Planner. Public Hearing for Affordable Housing Element will take place at the April Planning Board meeting

SUBCOMMITTEE APPOINTMENTS:

Economic Development Theresa DeSanto and Mike Tuturice

Environmental Sandy Collom

30 Porcupine Road (Browning-Ferris Industries) – Letter received outlining property history and current contamination levels.

Farmland Subdivision Steve Wilson

Farmland Preservation Melinda Taylor

NEW BUSINESS:

WJV Contractors LLC (Applicant)

V. Brothers Real Estate LLC (Owner)

Application 2024-05

Block 43/Lot 34

230 Pennsville-Pedricktown Road

Use Variance and Waivers

Erin Simone, Solicitor, represented the applicant.

William Valichka and Richard Sarlo, principals of WJV Contractors, were sworn in.

James Miller, Professional Planner

Requesting a D-1 Use variance for equipment storage inside a building and site plan waiver. Mr. Valichka stated the business has operated since 1993. The construction business operates out of 93 Penns Grove-Pedricktown Road but excess equipment is stored at the Pennsville-Pedricktown property. Prior to 1993 there was a greenhouse operation. Tax records (Exhibit A) stated the house was built in 1960. Types of equipment stored on the property include wood barricades, traffic signs, wave runners and bicycles (personal use), concrete barriers, paving machine and construction equipment. Used to store 4-5 triaxle trucks. Number of visits to the site varies. House has been occupied by Dan Cogdill for the past 14 years. Mr. Codgill does not pay rent and is an employee, as is his son. There are approximately 50 employee vehicles owned by Mr. Valichka’s business.

Exhibit B – Arial photo of site

The property in question in question uses a shared paved driveway. On the site there is a garage, farm building for storage, florist shop, leanto and an area used for brush storage. The pond was used for irrigation for the greenhouse.

Exhibit C – Copy of deed creating the driveway easement. To Mr. Valichka’s knowledge there are no restrictions for the driveway easement.

Hours of the business operation are 7:00am – 3:30pm. There may be 1-3 employees that are sent to collect equipment from the Pennsville-Pedricktown property. The property is landscaped and mowed; mowers are stored onsite. No signs for the business are needed. There are no business deliveries. Employees report to the Penns Grove-Pedricktown property. Mr. Valichka was not sure of the lighting onsite but believes there is a street light that was installed by Atlantic City Electric and some building lights. Any work on the equipment is done on concrete. The property is zoned Agriculture/Residential. No vehicles will be stored outside.

Mr. Miller testified that trees surround the facility which act as a buffer and there is a large hardscape area by the storage building which is suited for proposed use.

Hardship (Municipal Land Use Law) – part of community for many years and the facility is suited for the intended purpose.

Special Reasons Criteria (Municipal Land Use Law) – encourage development, agriculture and commercial purposes. Pole barn, access and yard for intended use. There is ample capacity. The equipment storage is low intensity use.

Negative Criteria:

1. No adverse affect on general welfare of community. Similar to farming operations already in the area. Large property to accommodate the use and there is a natural landscaping buffer.
2. Use within Agriculture/Residential district: Pre-existing improvements, the proposed use is similar to an agriculture business and property can accommodate the use.

Total acreage is 17.8.

PUBLIC COMMENT:

Jeff Austino Purchased his property 2.5 years ago. His property is 7 acres. Would like to grow Christmas trees in the future. Mr. Valichka’s property is landlocked with a granted right of way. Mr. Austino is against running a business out of the property in question. They share a common driveway. Police have been called three times due to threats made to Mr. Austino. One day there were 21 trucks using the driveway. Landscape debris is stored outside and is 40’ tall. Some of the machinery stored on site have included dump trucks, excavator and milling machine. Mr. Austino met with Mr. Valichka to resolve issues but no resolution was agreed upon. Mr. Austino installed cameras on his property. There has been asphalt and concrete stored in the back. He is concerned about diesel runoff to his well. Also concerned about his home value depreciating by having a business next door. Has been harassed by the tenants and employees. Offered to have Mr. Valichka buy him out. Mr. Austino is concerned about the safety of his grandchildren. Cameras have since been taken down.

Bill Golt Lives next door to the property in question and has owned his property for 60 years. Mr. Valichka Sr. removed trees so the NJ DEP was contacted. The sons inherited the property. In 2021 Mr. Valichka Jr had dirt dumped on the property. Township took Mr. Valichka Jr. to court. The dirt was then turned into a parking lot. Mr. Golt stated his opinion that he is against granting a variance.

Jay Perry (Sr) He has lived on Perkintown Road his whole life. When High Hope Greenhouse was open it was very busy. The property is nicely maintained. Mr. Valichka hires local people. Taxes are paid on the buildings.

CLOSED TO PUBLIC

Steve Nardelli, Planning Board Engineer, sworn in. Disclosure: Fralinger Engineering designed Mr. Austino’s septic system. The Planning Board could approve the variance, deny the variance or approve with conditions. Seasonal use of the property is hard to police.

Mr. Valichka stated that unknown to him, the property was being dumped on. He was contacted by Melinda Taylor and Tom Tedesco. The dumping was not his intent. The debris pile is from clearing the pond. Soil was brought in and the NJ DEP assessed a fine. Top soil was brought in – need a permit for storing on site which was hauled away. Millings were on the property to top dress the driveway. The pond was installed approximately 2001. Going forward there is to be no dumping on site. No chemicals are stored on site.

Dan Cogdill sworn in - Has lived on the property for 14 years. Employees sometimes hunt or fish on the property so there could be a business vehicle using the driveway for recreation.

REOPEN TO PUBLIC

Jeff Austino Landscapers have dumped grass clippings at the site. Debris from other sites has also been dumped there. Mr. Valichka doesn’t visit the site so is unaware of what goes on. Employees can be confrontational. There is a safety factor using the driveway. Mr. Austino is fine having the property used for farming purposes.

Brian Porch He owns Seminole Lane which has a right of way. He allows the homeowners to use it as a right of way.

CLOSED TO PUBLIC

Mr. Valichka stated that the inside of the building has a concrete floor. Ms. Simone gave a summary to the Board reviewing the positive and negative criteria of the application:

* Proposed use similar to other uses in the area
* Deed easement to freely pass through right of way; no restrictions on use of right of way
* Neighbor dispute not in the prevue of the Board
* Applicant is ok with approval conditions of no outside storage or dumping on the property.
* No leaking of fluid to groundwater since equipment stored inside on concrete.

Steve Wilson – Reminded the Board that they approved a dual use (house and landscaping business) on Pedricktown-Woodstown Road.

Sandy Collom – proposed use is not for farming.

Theresa DeSanto – expressed her concern about truck traffic.

Steve Wilson – enforcement of conditions would be difficult to monitor

Theresa DeSanto and Sandy Collom – concerned about dumping

The following votes were held:

1. Exhibits A, B and C, public notice and technical review letter - Sandy Collom made a motion to accept into the record, Theresa DeSanto seconded and all agreed.
2. Site Plan Waiver – Spyros Apessos made a motion to waive the requirement for submission of a site plan, Theresa DeSanto seconded and a roll call vote was held:

Sandy Collom Yes

Theresa DeSanto Yes

Mike Tuturice Yes

Steve Wilson Yes

Melinda Taylor No

John Pomponi Yes

Justin Schaller Yes

Spyros Apessos Yes

7 aye/1 no – site plan waiver approved

1. D-1 Variance

Positive Criteria: Mr. Ierino summarized the applicant’s presentation - Undue hardship and particularly suited for proposed use. Agricultural use versus commercial use at property. Intensity of use – effect on the community.

Negative Criteria: No impact to public welfare. Similar equipment to farming. Master Plan is not far off from agriculture use.

Sandy Collom made a motion to deny the application believing it is not a hardship, not a low intensity business in comparison to agriculture. Theresa DeSanto seconded the motion in the belief that the request is not in keeping the Master Plan and the Agriculture/Residential use.

Roll call vote was held to deny the application:

Sandy Collom Yes

Theresa DeSanto Yes

Mike Tuturice Yes

Steve Wilson Yes

Melinda Taylor Yes

John Pomponi No

Justin Schaller No

Spyros Apessos No

5 aye/3 no – Application was denied

One Gateway Owner, LLC

Application 2025-01

Block 29/Lot 6

1 Gateway Blvd.

Minor Site Plan – Additional Loading Docks

Michael Floyd, Esquire, represented the applicant. One Gateway Owner LLC is operated by Galvanize Real Estate which is a special purpose entity.

Sworn In: Alex Munoz, VP of Asset Management, Galvanize Real Estate

Tom Berchard, PE of Mohawk Development Consultants

Exhibit A-1 Arial photo of site

Exhibit A-2 Overall site plan

Exhibit A-3 Full set of site plans

Site is 22.39 acres in the IPRA zone. Requesting minor site plan approval for 8 additional loading docks. Not increasing the foot print of the building and not changing the ingress/egress, stormwater, landscaping and/or lighting.

Mr. Munoz has been with the company for two years. Galvanize works on multi-strategy climate controlled buildings. The property in question has been vacant and was last operated by J. E. Berkowitz for glass manufacturing. The former owner, Stag Investments, made minor improvements to the property. Currently there are 14 loading docs; by adding 8 more the property will appeal to more possible tenants. The building already has a solar system.

Mr. Berchard testified that the building is 245,900 square feet. All loading is in the rear of the building. There are two full access driveways to the property – one off Straughns Mill (cars only) and the other off Gateway Boulevard (cars and trucks). There are wetlands on the property but the additional docking bays will not effect the wetlands buffer. There are also 38 trailer spaces behind the building. The proposed 8 dock positions will be in the middle of the building.

Steve Nardelli, Oldmans Township Planning Board Engineer, sworn in.

The site already has concrete and asphalt where the new bays are to be located. There will be no additional runoff. The application is pending County Planning Board approval, as well as Cumberland/Salem Soil Conservation approval.

OPEN TO PUBLIC No comment.

CLOSED TO PUBLIC

Voting:

1. Exhibits A-1, A-2 and A-3, public notice and technical review letter to be accepted into the application. Steve Wilson made a motion to approve, John Pomponi seconded and all agreed to accept the documentation.
2. Deem application complete – Theresa DeSanto made a motion to declare the application complete, Steve Wilson seconded and all agreed.
3. Application for 8 loading docks to be installed on vacant property to make it more marketable, subject to outside agency approval, and to approve the minor site plan with the following conditions:
4. Establishment of cost of construction for engineer services
5. Outside agency approvals as stated above.

Spyross Apesoss made a motion to approve, Steve Wilson seconded and roll call vote was held: Sandy Collom Yes

Theresa DeSanto Yes

Mike Tuturice Yes

Steve Wilson Yes

Melinda Taylor Yes

John Pomponi Yes

Justin Schaller Yes

Spyros Apessos Yes

8 aye/0 no – minor site plan approved

There being no further business, Spyross Apessos made a motion to adjourn, Theresa DeSanto seconded which was agreed to by all to adjourn at 9:20 pm.

Melinda Taylor

Secretary