

**QUINTON TOWNSHIP PLANNING BOARD**

**RESOLUTION NO.: 2024-19**

**RESOLUTION DENYING PRELIMINARY AND FINAL SITE PLAN APPROVAL**

**RE: APPLICATION # 2023-04**

**Block 12, Lot 34, 686 Salem-Quinton Road**

Name of Applicant: **Quinton Salem Industrial LLC**

Type of Application: **Preliminary and Final Site Plan approvals**

**I. Introduction**

The applicant is the contract purchaser of the property known as Block 12, Lot 34, 686 Salem-Quinton Road. The applicant is represented by Bernd Hefe, Esq. who presented the application to the Board. The property is situated in the Light Industrial/Office (LI/O) district where limited manufacturing park development is permitted. The application request is for Preliminary and Final Site Plan approvals with site plan waivers. The property is currently undeveloped, and the applicant is seeking approval to construct a 161,000 square foot, light industrial building with associated loading and vehicular parking.

The application consists of the following materials:

- 1) Preliminary and Final Site Plans, dated 11/10/2023, prepared by Man Terra Design LLC
- 2) Architectural Floor Plans and Elevations, dated 11/02/23, prepared by SEAC Design
- 3) Boundary & Topographical Survey, dated 07/10/2023, prepared by Gallas Surveying Group
- 4) Environmental Impact Statement, dated 11/09/2023, prepared by Environmental Technology Inc
- 5) Traffic Impact Analysis, dated 11/13/2023, prepared by Dolan & Dean Consulting Engineers LLC
- 6) Stormwater Management Report, dated 11/15/2023, prepared by Man Terra Design LLC
- 7) Stormwater Operations and Maintenance Manual, dated 11/15/2023, prepared by Man Terra Design LLC

**II. Completion**

The application was deemed complete by Resolution 2024-10, subject to the applicant providing additional documents for the sound study and additional copies of the stormwater and environmental reports.

**III. March 12, 2024 Hearing**

- A. At the March 12, 2024 hearing, the following proceedings occurred on the application:

1. Chairman John Allen, Suzanne Van Sciver, and township solicitor William Horner excused themselves from their positions for the application. Donald Brown stepped in as acting Chairman accompanied by township conflict solicitor Richard Coe.

2. Donald Brown introduced application #2023-04 for the Salem Quinton Industrial LLC for light industrial hearing. Applicants' attorney Bernd Hefe explained the application is for site plan approval for 21.5-acre lot located Block 12 Lot 34 on Salem Quinton rd. which is currently vacant and complies with ordinances and township master plan. It falls in the light industrial office zone. Currently no tenant for the proposed building but they would be required to follow all township use provisions.

3. Conflict solicitor Richard Coe swore in the applicant's Engineer Giovanni Manilio of Mantara Designs who has been licensed since 2008 and credentials deemed sufficient. An arial map was presented. There is an area of wetlands located in the rear of the property that will require a 150-foot buffer. The building proposed would be roughly 161,000 square feet with a set up for two tenants. Includes two separate interior office spaces with a single driveway with full LED lighting which will access 118 parking spaces with 5 as handicap accessible and 26 loading bays in the rear of the building. Each tenant would have their own trash and recycling areas in the back corners of the building. It is considered an all-green infrastructure and the proposal complies with the latest storm water requirements. One monument 10x6 sign will be along the roadway on a stone platform approximately 8 feet high. There will be evergreen landscaping along the front of the building and along western neighboring housing area. Mr. Manilio read through the recommendations or comments listed in the technical review presented by the Planning Boards professional Engineer and Planner of Land Dimensions Engineering. The technical review was made available to all board members and added to the application packets.

4. Joseph Hannigan asked what the height of the building would be and it was stated to be 43 feet. Larry Winkels inquired about bank parking and what that would entail. It was explained they do not plan to build bank parking. Larry asked to verify that the ground perked and information was provided that it did. Also explained septic and storm water would be in two different areas. It was discussed that the septic system is subject to the county health department approval.

5. William Remster asked about primary setback which was stated at 145 feet. Also, that additional parking is required in calculation for this building. William Remster also mentioned that it looks like there are approximately 66 parking spaces within the setback and if that is the case a variance would be needed. Attorney Bernd Hefe explained additional parking can be built, but would not be used and additional landscaping would give a better visual appeal. Larry Winkels asked what type of client would be utilizing the building. It was explained that the LIO has five possible uses listed in the ordinance and the tenant would have to fall into those categories.

6. Traffic engineer expert Douglas Polyniak of Dolan and Dean who has been licensed for 20 years presented the traffic study report that was performed. Traffic study was completed on Tuesday October 17<sup>th</sup>, 2023 during morning 7am to 9am and evening 4pm to 6:30 pm as what is considered rush hour. A table of the trip generation projections was presented with morning totals at 119 total vehicles and evening at 105 total vehicles.

7. Marjorie Sperry expressed concern with the roads that were chosen such as Sandy Ridge Rd. in the traffic study and that county roads such as Acton Station Rd. or through Salem City is much more



likely of roads to be used as travel routes to this proposed warehouse. And there is concern with the conditions of those roads. Larry Winkels expressed concern with October being used as the time of traffic study as it does not include summer shore traffic. Applicants' attorney explained the NJDOT would be responsible to review road plans and decide what changes such as additional lanes, traffic lights, or traffic patterns would be needed to protect the safety of the township.

8. Building architect expert Roberto Martinez of SEAC Design was sworn in and has been licensed for 16 years. Presentation was given and explained that the building will sit 800 feet back from road and the landscaping will line the front of the building and along the neighboring lots.

9. Larry Winkels asked where the soil stockpiles will go. Marjorie Sperry asked if water supply or fire suppression plans have been made. It was explained those items would be addressed once the use of the building is determined. Applicant's attorney Bernd Hefele also added that the applicant is willing to add a sound barrier to the left side of the property to create an additional buffer to that residential area. The applicant's presentation was completed at this time.

B. At the March 12, 2024 hearing, the Board's professionals presented the following:

1. Planning Board professional Andrew Hogg reviewed some additional concerns from his March 5<sup>th</sup> review letter that he is asking for clarification. He asked for additional information to make a calculation of the height of the building. He expressed additional plans be provided to show that the area in front of the building show it will be cleaned up and not an overgrown field. Hilliard Ave. needs to be considered in the plans and how close those dwellings are to the proposed building, and also how close the dwellings on Salem Quinton Rd. are to the driveway. Mr. Hogg still recommends in the case of possible bus route drop off or employees riding a bicycle to work that a sidewalk be installed along the driveway.

2. If the applicant chooses to not build the required amount of parking spaces for the size of property, then they must apply for variance or a design waiver. A waiver will be required for the 16 additional loading spaces over what the ordinance requires. Also the applicant should provide some preliminary information on the fact that it will be a septic use. He requested that the noise study be amended to include other noise sources as well, especially along the residential side. If a tank is required for the fire suppression it will need to be in the application unless underground.

C. A motion was made to open the March 12, 2024 meeting to the public, at which time the following persons were duly sworn and testified as follows:

1. Mike Blachniak of Hilliard Ave stated he moved to Quinton Township because its peaceful and quiet. He is concerned with a huge building being built in his back yard. Also concerned with fumes from the continuous trucks that will be in and out of the property and it affecting his health and others in the community.

2. Tedd Woodside of Salem Quinton Rd. is concerned with the condition of the roads and what the additional traffic will cause.

3. John Carnevale of Salem Quinton Rd. is concerned that the noise ordinance allowing activity from 5am-11pm is too much and the additional sounds and lighting from the building will be overwhelming. John is also concerned with local property values.

4. Jackie Ciarlante of Hilliard Ave. is concerned that the roads will not be able to sustain the additional traffic and trucks. Also, that the sound study was conducted without knowing what type of tenant is going into the building.

5. Ralph Warfle of Sharron Ave. expressed that the state has issued guidelines in 2022 to help protect communities from industrial sites. Questioned what the township has done to help meet those suggested guidelines. Concerned with the amount of people that will move out of Quinton including himself because they don't want to live near a warehouse.

6. Paul Rivell of Sharron Ave. is concerned with the rainwater on the property and how it will affect Hilliard Ave. Also questioned the purpose of building this warehouse with no tenant.

7. TommyLee McDade of Salem Quinton Rd. questioned if additional power lines would need to be ran to accommodate the building and if the electrical grid can withstand it. Also concerned with the ages of the surrounding houses and how they will hold up with the additional truck traffic.

8. Jessica Parkell McDade of Salem Quinton Rd. is also concerned that the houses along her road shake when the large tractor trailer trucks drive by and the additional truck traffic could cause damage to those houses and the additional noise that they will create.

9. Joe Elwell of Sickler St. asked if the building could be redesigned to not sit as close to the residential area. Also questioned the planning board master plan and when can it be updated and if the light industrial zone be removed.

Following the presentations by members of the public, motions were made to close the public hearing and adjourn the hearing to another date.

#### **IV. May 14, 2024 Hearing**

A. At the May 14, 2024 hearing, the applicant made the following presentation:

1. The applicant's attorney Bernd Hefele began with a summary of information discussed at their last hearing. They revised numerous items in their application to try and address concerns made by both the professionals and the community members. Engineer for the applicant presented an exhibit showing a presentation of the building from street view. A colored rendition of the site plan submitted and now includes landscaping. As per the zoning ordinance the average building height is 43.2 feet.

2. Larry Winkels asked what existing grade level is and at highest is 15.6 and lowest is 10.5. The west side of the building shows a double row of landscaping and a 6-foot solid fence along property line. There is a 3-foot berm along Salem Quinton Rd. also with landscaping. The applicant agrees to shift the driveway so it will not be directly across from the one across the street from the property as long as DOT approves. They agree to add a 16-foot soundwall as an extension of the building near the loading doc area. A sidewalk was added to the plans from the building to the street and bike racks. The preliminary septic design was presented as being in front of the building and soil samples were taken to complete the design.



3. The review from the Board professionals and the applicants' responses were addressed page by page and line by line. Information gone over such as hours of operation being within the hours of 5am and 11pm. There will need to be a 25-foot buffer zone. Light poles and electric lines added to the site plan. Estimated number of employees would be 60 and the disposal system is set to accommodate 2,000 gallons per day. A pressure test will have to be performed upon completion to determine what sprinkler system is required or a fire suppression tank according to the fire code. A waiver is being requested on landscaping on the grounds that the applicant is willing to comply with what our professionals require.

4. Clarification was made that if the Board approves the application there are still numerous permits and approvals needed by other agencies such as DEP and DOT or the project cannot be completed.

5. Larry Winkels questioned if there is a change of circumstance that could affect one of the submitted reports such as the overflow of the creek in recent days would that change anything. Mr. Hefe explained that situations such as that the DEP and other agencies will be looking into the same circumstances before any permits would be issued by those agencies.

6. The parking spaces required are 277 according to township plans while applicant only requesting 111 with 4 spaces for EV vehicles so a waiver is being requested to have fewer spaces than required. William Remster questioned parking spaces being located within the setback zone. Larry DiVietro clarified that the setback zone includes the building only and not including the parking area. Applicant agrees to design for only 10 loading docks and bank the other 16 which would need a waiver. The owner will need to revisit if the business tenant requires additional loading areas.

7. Norm Dotti with Russell Acoustics was duly sworn and testified as to noise study that was completed by his agency. He was qualified as an expert. It was asked that the noise study be updated to include noises other than just trucks such as back up signals, trailer hitching, HVAC noise, and construction. Mr. Dotti explained there is a statewide noise regulation that regulates maximum sound level of sources associated with commercial or industrial use and effects to a residential receiver. It uses a frequency scale to determine how loud noises are to people. The dominant or loudest sound source for a dry goods warehouse would be trucks and the study would be based on the loudest source. Mr. Dotti agreed that the sound study meets the standard of the state requirements.

B. A motion was made to open the hearing to the public, at which time the following persons were duly sworn and testified:

1. Jack Sutton commented that the residents of Quinton Township do not want the building.

2. Ted Woodside of Salem Quinton Rd. is very concerned with truck traffic and how they will be entering the building especially with the lack of police and fire presence.

3. Mike Blachniak of Hilliard Ave. states his concern with the effects of constant exposure to exhaust fumes from the trucks in and out of building and those parked for loading. Also, that the count of people for the building do not include visitors.

4. John Carnevale of Salem Quinton Rd. expressed concern that other properties in the area are subject to similar building applications.

5. Beatrice Ricketts of Hilliard Ave. expressed her concern with how close this building will be to her back yard and the noise it would cause.

6. Beth Fox of Hiles Ave. pointed out that current owner of the property is JJ Allen.

7. Al Bloemer of Hiles Ave. believes the noise within the sight will be minimum compared to the trucks exiting and entering the site.

8. Mark Shultz of Cross Rd. questioned the landscaping that is supposed to shield the building if they lose leaves would they still help with noise.

9. Ben Keen of Hilliard Ave. believes the township is to blame for this application even being capable of being presented and wants the master plan reviewed.

10. Pete Mattice of Hilliard Ave. grew up in New York and moved to Quinton for the atmosphere and the township has let him down.

11. Jackie Ciarlante of Hilliard Ave. believes the township has let the residents down.

12. Attorney Jeffrey Brennan was introduced as representing Quinton resident Ralph Warfle. He stated that the floor area ratio that was presented was not properly calculated. That the average height of the building would need to include the cooling units. Also, that the site plan shows several encroachments into the side yard setback area. He explained he believes there are numerous objections to the application and that there are variances that need to be applied for.

After discussion it was agreed by the board members that they needed additional time to get more information on the topics brought up by Attorney Brennan. Attorney Hefe for the applicant expressed that there was plenty of time for these objections to be brought forward and the board should be voting on the matter tonight. Solicitor Richard Coe for the Board stated that Attorney Brennan would submit his objections within 10 days of the meeting after which Attorney Hefe would have 10 days to respond and the board would review and discuss at the next regularly scheduled Planning Board meeting. The hearing on the application was adjourned to a new date.

#### **V. October 8, 2024 Hearing**

A. At the October 8, 2024 hearing, the following proceedings occurred on the application:

1. Solicitor Coe introduced the application to be heard, #2023-04 Salem Quinton Industrial LLC and asked their attorney Bernd Hefe to give final submissions. Attorney Hefe did a brief explanation of the application and where the applicant is in the process. He also addressed issues brought forward by the resident's attorney. The objection that was found to need additional information submitted was for additional storm water test pits and ground water analysis. The additional tests were completed and results submitted to the boards professionals for review as well as copies given to the board members.



Additional plans and storm water calculations were also submitted. According to Attorney Hefeale all results indicate the storm water design is in compliance.

2. The applicant's engineer John Manilio was sworn in and gave explanation on the additional test pits within the basins. Once those results were submitted the boards professionals from Land Dimensions asked specifics on would the storm water plans actually work. Additional storm water calculations were completed, and a design plan completed to show that the plan would work according to the applicants engineer. Mr. Manilio presented exhibit A-#10 and #11.

3. Larry Winkels asked that Mr. Manilio explain the exhibits thoroughly. Mr. Manilio went back and explained some of the previous exhibits submitted to clarify the new information. It showed the difference of raising one of the basins an additional 6 inches to accommodate being 2 feet from seasonal ground water. Larry Winkels asked how the amount of water calculation is done. Manilio explained the program used and what information is input to get the calculation results. Larry Winkels asked if the creek was included in the calculations if it overflows. Manilio explained the DEP flood hazard area line and how the calculations are provided. Larry Winkels expressed concern with the creek and the overflow being so close to the proposed building. Manilio went back and explained the locations of the basins on the property and one was made wider by 16 feet. Basin 6 was the one raised by 6 inches. A ground water recharge analysis was filled out and submitted to the professionals. He explained some of these later calculations and tests done are typically done later in the planning process but they complied to try and answer additional questions from the board's professionals.

4. Board professional Andrew Hogg of Land Dimension clarified that no formal wetlands LOI verification has been submitted but that approval from the DEP is required. It is not however typically part of the site plan approval because it is part of an outside agency approval from the state. If the state disagrees the basin might have to be moved and there would be less area to build and might need a new design. Richard Coe also explained that all outside agency approvals are a condition of any planning board approval. If those approvals are not met the project would not be able to break ground.

5. Cody Banks asked along the eastern border is it showing a drainage pipe and does the overflow go into the creek. Andrew Hogg explained how the process is proposed to work. Larry Winkels asked if there was a check valve in the pipe? Andrew explained in the current design there is not. William Remster asked if the creek can back up into the basin. Andrew Hogg explained the elevation level in regards to the level of the pipe. Andrew Hogg clarified that they issued a letter questioning additional items and the applicant did provide the additional information and tests needed to clarify those items. And he feels all storm water compliances that were questioned are resolved and addressed.

6. Objector's Attorney Brennan asked Mr. Manilio to explain what FAR (Floor Area Ratio) is. Mr. Manilio explained that it basically is usable space of building vs. the area of the lot, however for Quinton township in particular the land area is based on usable land and you must eliminate any environmental constraints. In the case of this application two ratios were completed. Attorney Brennan asked numerous questions to Mr. Manilio and how the FAR was calculated on the property. Attorney Brennan presented exhibit #01, 02, and 03 showing the track of deeds for the property. According to the documents presented it shows the main lot of 25 acres less a 4-acre exception as well as a .89-acre exception. Attorney Brennan asked about NJ GeoWeb which is a state database that does mapping. Brennan presented exhibit #04 which is a section of the property from the Geoweb site. Attorney Brennan believes this information would change



the FAR calculations which he asked Mr. Manilio to recalculate with the new results being what Attorney Brennan believed to need a D variance for the application. Attorney Richard Coe asked Mr. Manilio if their initial calculations rely on the property surveyor or the deed history. Mr. Manilio stated they rely their calculations on a certified survey. Planning Board professional Andrew Hogg asked if there is any explanation where the loss of acreage came from. Without knowing where the error is a new FAR calculation is invalid. Board professional Larry DiVietro also stated that their office as engineer and planner also rely on the information given by a NJ licensed surveyor as standard procedure.

7. Attorney Brennan presented witness Junetta Dix who was sworn in. Ms. Dix is currently director of environmental services at Act Engineers where she has been a consultant for over 35 years. Ms. Dix explained the process of seeking approval for wetland delineation. If the property is over an acre, it must have an environmental consultant along with a surveyor to come out and flag the property for the wetland boundaries based on three parameters of soils, hydrology, and vegetation. Once you go through the process and receive a letter of interpretation, a wetland boundary verification and submit to the DEP for a reply which currently takes about a year to review. Her office advises not to calculate FAR of the property or design plan of the property until you have the LOI approval or you are at risk of having to change the building plans due to wetland boundaries. Attorney Hefeled asked the witness if she reviewed the wetlands mapping submitted with the application by their environmental consultant. Ms. Dix replied she had not. Attorney Hefeled also asked the witness if the applicant has the option to get approval by the township planning board before getting the wetlands delineation approved. Ms. Dix response was the applicant can proceed in the order they wish. Larry Winkels asked the witness if the consistent flow from the creek on the property could affect the vegetation that would in turn change the wetlands line. Ms. Dix responded that it indeed could create a successional process that could change wetlands.

8. Attorney Brennan introduced another witness Jim Kates, former mayor of Quinton Township. There was discussion and majority of the board agreed to allow Mr. Kates testimony. Jim Kates was sworn in and listed his positions held for municipalities. He stated he was a zoning officer for 15 years. Attorney Brennan then asked if he had been following this particular application. And if he was familiar with the question of the stairs and the side yard set back and the retaining wall and setback. Attorney Brennan asked Mr. Kates opinion based on his interpretation of the ordinance when he was a zoning official. Kates stated if the property had stairs, a deck, a pool, or anything within the setback area you would have to come before the board and he would not issue a permit from the zoning office. Attorney Hefeled asked Mr. Kates if he reviewed the July 30<sup>th</sup> memo issued by Solicitor Coe. Mr. Kates stated he did not read the memo or know why the boards attorney disagreed with the claims of attorney Brennan on the setback issue. Attorney Hefeled read a section of the memo which includes a portion of land development ordinance 170-70.C which explains definition of a building and setback line definition. Mr. Kates responded that he is referring to a structure not necessarily a building.

9. The record was closed at this point of the meeting.

B. Concluding remarks were then provided as follows:

1. Solicitor Richard Coe asked the boards professionals if they feel the applicant has submitted enough additional information to show their application does comply with the site plan ordinance and zoning ordinance. Andrew Hogg replied on the drainage issue he does feel it's been satisfied.



2. Larry Winkels asked for clarification on the sound barrier. It was explained it is a concrete extension off the building and its 16 feet tall and goes to the end of the loading dock. Larry asked if that will indeed block the noise? Attorney Hefele confirmed a noise study was completed and is in compliance with the sound ordinance. Joe Hannigan states he finds the information hard to believe when the sound study states the trucks would be no louder than normal conversation. Cody Banks asked to clarify that the sound wall actually extends 120 feet beyond the building. William Remster stated the deed from the county has the lot and block numbers switched.

3. In closing, Attorney Hefele stated this application is a simple application as it is zoned for this building on this property and requires no variances. An application of this type where the use is permitted within the zone, with no variances, and meets all provisions of the ordinance. He feels by law the board is obligated to accept the application. The county planning board has already given their approval. He states he feels the board should approve the application to avoid any future litigation because by law it meets the requirements.

4. Attorney Brennan believes there are issues presented that give cause for the application to be denied. He feels the wetlands analysis is not accurate, the FAR calculations have discrepancies, and the survey is not accurate.

5. Attorney Hefele states that the FAR calculations were done using a survey completed by a licensed surveyor.

6. Larry DiVietro reiterates that any and all outside agency approvals such as wetlands, DEP, and DOT must be submitted before they have permission to break ground. And if anything changes or they do not get one of the outside agency approvals the applicant would have to come back before the board.

7. Richard Coe stated as per the case of the *Pizzo Martin* decision, the Board's authority when reviewing an application for site plan approval is limited to determining if the development plan conforms with the zoning ordinance and the provisions of the site plan ordinance. The board has to determine if this application satisfy the terms of the zoning ordinance and the site plan ordinance. The boards professional's testimony has indicated that all items on the checklist have been provided and they are satisfied with the requirements. Mr. Coe pointed out that the objector's witness did also state that the applicant is indeed allowed to gain approvals in the order that they wish. Also Mr. Coe stated his ruling again on the set back issue and nothing he heard tonight changes his opinion on that matter. Lastly, attorney Coe states that the additional test pits were submitted as requested and they satisfy to be in compliance.

## **VI. Motion on the Application**

A. A motion to approve the application with conditions cited was made by Cody Banks and seconded by Alison O'Boyle.

B. Larry Winkels asked if it matters if they believe one opinion over another of a witness or professional. Richard Coe stated the credibility of a witness is within the prerogative of the board but certain information is not disputed and can't be ignored.

C. Roll Call

Yes: Banks, O'Boyle

No: Hannagan, Remster, K. Winkels, L. Winkels

**Motion fails by a vote of 4 against to 2 in favor, and the application is therefore denied.**

D. Statement of Reasons for Denial

1. It is appropriate for the Board to deny an application for site plan approval where the applicant fails to establish that the plan conforms with the zoning ordinance and the applicable provisions of the site plan ordinance. *Pizzo Mantin Group v. Township of Randolph*, 137 N.J. 216, 228-29 (1994).

2. It is appropriate for the Board to deny an application for site plan approval if the applicant fails to establish that the site will be used in accordance with the site plan ordinance. *Id.*

3. It is appropriate for the Board to deny an application for site plan approval where the plan lacks sufficient specificity, or the applicant fails to provide sufficient information pertinent to the plan. *Morris County Fair Housing v. Boonton Twp.*, 228 N.J. Super. 635 (Law Div. 1988).

4. The "burden of proving the right to relief sought in the application rests at all times upon the applicant." *Toll Bros., Inc. v. Board of Chosen Freeholders of County of Burlington*, 194 NJ, 223, 255 (2008).

5. Reviewing the credibility of witnesses, including experts, is within the province of the Board. Moreover, the Zoning Board is not bound to accept the testimony of any expert. *See Klug v. Bridgewater Planning Bd.*, 407 N.J. Super. 1, 13 (App. Div. 2009) ("[w]e emphasize that a planning board is not required to accept the testimony of an expert").

6. In the present matter, the Board majority concluded that insufficient information had been provided by the applicant regarding crucial issues.

7. With respect to the floor area ratio (FAR), the applicant failed to provide the Planning Board with sufficient data and information upon which it can confirm that the site plan complies with the LDO's FAR limitation of 0.22 in the Light Industrial/Office District. The applicant's applications with the New Jersey Department of Environmental Protection ("NJDEP") for a freshwater wetlands letter of interpretation and for a flood hazard area line verification and permits are pending. Indeed, it is entirely possible that NJDEP's verification process may result in an expansion of the property's environmentally constrained areas, thus making the FAR even higher and nonconforming. This would require a "d" variance from the Board.

8. The applicant also failed to identify exactly what business will occupy the structure and operate from the property. The type of business could impact many of the site issues addressed at the hearing, including traffic, site circulation, ingress and egress, and noise.



9. The applicant failed to adequately address the sound concerns about the operations, especially given that the sound generated by truck exhaust and jake brakes. This represents an important quality of life issue for the neighbors surrounding the property.

10. The applicant failed to adequately address the concern of overflow from the stormwater system into the creek.

11. The applicant did not adequately address traffic concerns due to the traffic that will be generated from the project. The assumptions relied upon by the applicant's traffic engineer did not represent actual and accurate traffic patterns observed by the Board members as residents of the community. The traffic burden will affect public safety, traffic patterns, and the quality of life in the vicinity of the property and the community generally.

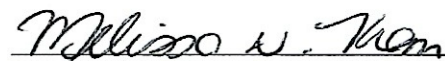
12. After careful review of the evidence and testimony, a majority of the Board determined that the applicant did not sustain its burden for site plan approval based on the factors cited above.

**NOW THEREFORE BE IT RESOLVED**, the Board hereby denies the application for site plan approval.

**BE IT FURTHER RESOLVED**, that the applicant must satisfy any and all remaining escrow obligations pertaining to the application.

The undersigned Chair of the Quinton Township Planning Board hereby certifies that the above is a true copy of a resolution of denial adopted by said Board on November 12, 2024.

*Attest:*



Melissa N. Thom, Secretary  
Quinton Township Planning Board



Larry Winkels, Acting Chairperson  
Quinton Township Planning Board