

**Mannington Township Planning Board
Regular Meeting
December 12, 2024**

Present:

Donald Asay, John Sakewicz, Michael Aimino, Michael Colletti, Corey Gaskill, Nicholas Culver, , David Cadwallader, Andrew Carpenter and Dorey Emel

Absent:

Richard Eber, Jessica Lynne Winkers, Gaynel Schneeman, Robert Schmid and Donald Richman

The meeting was called to order at 7:07 PM.

The Sunshine Law Statement was read.

The Pledge of Allegiance to the Flag of the United States of America was recited.

Roll Call was taken to justify that there was a quorum in attendance.

The secretary of the planning board has given adequate notice of the meeting.

Changes to the November minutes:

Nicholas Culver was not present at the meeting. Also, on page 9, line 5 the beginning of the second sentence THE should be changed to THEY. Page 9, line 14 the word comfortable has a semicolon in it. This should be changed to comfortable. Michael Colletti made a motion to approve the November 14, 2024 minutes with the noted changes. Donald Asay seconded the motion.

All in Favor.

Block 40, Lot 9

Salem Farms, LLC

124 Swedes Bridge Road

Completeness Hearing/Application for a Site Plan Waiver

(Applicant has requested this matter be carried to a future date.)

Mr. Aimino will reach out to the applicant's attorney with a request for a control date.

Block 60, Lot 4

Mannington Mills Road

Resolution 14-2024

Dorey Emel made a motion to approve the resolution. Michael Colletti seconded the motion.

Motion Carried 3-0

YES: M.C., J.S. and D.E.

RESOLUTION TO FOLLOW

RESOLUTION 14-2024
RESOLUTION OF THE PLANNING/ZONING BOARD OF THE TOWNSHIP OF MANNINGTON REGARDING AN APPLICATION FROM MANNINGTON MILLS INC. GRANTING A USE VARIANCE AND WAIVER OF SITE PLAN APPROVAL FOR PROPERTY LOCATED AT 75 MANNINGTON MILLS ROAD, DESIGNATED AS BLOCK 60, LOT 4

WHEREAS, an application has been submitted by Mannington Mills Inc., (the "Applicant"), 75 Mannington Mills Road, Mannington, New Jersey 08079, for Use Variance Approval and Waiver of Site Plan Approval to allow an existing building to be used by a third party as manufacturing facility for component packages including wall panels, floor trusses, and roof trusses., which would constitute a second primary use on the site, on property known as Block 60, Lot 4, on the Tax Map of the Township of Mannington, commonly known as 75 Mannington Mills Road, Mannington, New Jersey 08079, which property is owned by the Applicant; and

WHEREAS, the application was deemed complete by the Mannington Township Planning/Zoning Board, sitting as a Zoning Board of Adjustment, by a vote of six (6) in favor, zero (0) opposed and zero (0) abstentions, at its meeting on November 14, 2024. No waivers were required or granted with the exception of the Applicant's request for Waiver of Site Plan Approval.

WHEREAS, the Applicant has given legal Notice as required by and in accordance with N.J.S.A. 40:55D-12 and Mannington Township Ordinances, by serving proper Notice to property owners within 200 feet of the site, serving Notice on all required governmental agencies and public utilities and by publishing a proper Notice in the newspaper, all at least ten (10) days prior to the hearing; and

WHEREAS, in support of the presentation, the Applicant provided the following:

1. Cover Letter from Telsey Law, LLC dated 10/22/2024; and
2. Application for Development Review & Application for Variance (Use) with Site Plan Waiver, dated 10/11/2024; and
3. 200 foot property ownership list; and
4. Affidavit of Ownership, Use Variance Narrative, Witness List, Stockholder Disclosure and Aerial/Site Photos; and
5. Schedule A (General Requirements) form; and
6. At the time of the hearing the Applicant marked and entered into the record the following:
 - A-1 Proposed floor plan.

WHEREAS, the Mannington Township Planning/Zoning Board, sitting as a Zoning Board of Adjustment, has made its determination in this matter based on the following:

1. The documents set forth above; and

2. The representations made by the Applicant in its application and by the Applicant's representative, Zach Zehner, Chairman of the Board for Mannington Mills, the Tenant's representative, Robert Frogle and the Applicant's Attorney, Adam I. Telsey, Esq., at the time of the hearing before the Board on November 14, 2024; and

3. A letter from the Board's Engineer, Corey Ronald Gaskill, PE, CME, CFM, dated November 8, 2024, which is incorporated and made a part of this resolution by way of reference; and

4. Comments made by Corey Ronald Gaskill, PE, CME, CFM, the Board Engineer, and by Michael A. Aimino, Esq., the Board Solicitor, at the time of the hearing on November 14, 2024; and

5. At the time of the hearing the matter was opened to the public, however, no one from the public spoke.

WHEREAS, based upon the information provided at the time of the hearing and in the application, the Mannington Township Planning/Zoning Board, sitting as a Zoning Board of Adjustment, makes the following findings of fact and conclusions of law:

1. The Applicant has filed an application for a Use Variances and for a Waiver of Site Plan Approval in order to permit a third party to use an existing building as a manufacturing facility for component packages including wall panels, floor trusses, and roof trusses. The Applicant had previously obtained Use Variance approvals with respect to the same building to allow for warehousing by a different end user.

2. The property is located in the Industrial Zoning District. Manufacturing of component packages including wall panels, floor trusses, and roof trusses is a permitted use in this zone. It is the fact that there will be two (2) distinct principal uses, but two (2) different entities that a Use Variance is required. The Use Variances was ultimately granted by the Board.

3. The Applicant's attorney, Adam Telsey, Esq. gave the Board an overview of the project and the approvals being sought. The Applicant is seeking Use Variances and Waiver of Site Plan Approval permit in order to allow a third party to use an existing building as a manufacturing facility for component packages including wall panels, floor trusses, and roof trusses. Manufacturing of component packages including wall panels, floor trusses, and roof trusses is permitted in the zone. It is the fact that there will be two (2) primary uses on the property that triggers the need for a Use Variance. The Applicant is also seeking a Waiver of Site Plan Approval as there will be no changes to the exterior of the property. It is good for the proposed use as it currently is set up.

4. Mr. Zack Zehner, the Chairman of the Board of Mannington Mills testified regarding the property and the proposed use of the building in question. The building was previously used by Mannington Mills for nearly 20 years in connection with their production of VCT vinyl panels. The product is no longer used – other products have come along to replace it. They had obtained a

tenant who was using the building to store gluten products, however, that business has fallen through. Mannington Mills is looking to rent the building to Annadale Millwork and Allied Systems Corporation (“Annadale”) for their wooden truss manufacturing business.

5. Mr. Zehner testified that the building is well suited for their manufacturing business. It is located towards the edge of the property and is bordered by the railroad line, which will be utilized in connection with this business. There is no need to modify the exterior of the building or the surrounding area with the exception of expanding or creating three large bay doors and two openings to be used by conveyor belts. The inside of the building will be modified to meet Annadale’s manufacturing process. Mr. Zehner noted that the building is approximately 100,000 square feet in size. Approximately 50,000 square feet will be used by Annadale. The remaining 50,000 square feet still houses the heavy equipment from the VCT operation. Truck traffic will still be way below the type of truck traffic that was generated by Mannington Mills when they were using the building in question. This manufacturing facility will have no impact on the current operations of Mannington Mills.

6. Robert Frogale from Annadale testified regarding the proposed manufacturing operations on the site. Annadale is a family owned business that has been in operation since 1952. It currently operates out of Annadale, Virginia. They manufacture a number of construction items including doors, wall panels and wooden roof trusses. They have a number of national builders that they supply in New Jersey, Pennsylvania and Delaware, as well as, in the home state of Virginia. By opening up this facility they will be able to be closer to their customers in New Jersey, Pennsylvania and Delaware. They expect to employ approximately 50 employees. It will likely take about six (6) months to get their people trained and the operation up and running. They will start with one (1) shift but hope to grow to two (2) shifts.

7. Regarding the operation on site, they will have wood shipped in, primarily by rail, from their current suppliers in North Carolina and Canada. It is a clean wood product. All manufacturing operations take place inside the building. Most of the time it will be a six (6) days a week operation. At times it could be seven (7) days a week. Wood will arrive by rail, the wooden trusses will be manufactured inside the building and the finished product will be trucked off site to the builders. Waste, typically in the form of small pieces of wood, will be taken to a local mulching facility. Trucks will typically take Route 45 to Route 540 and then to Route 295 north. There will be a small office crew on site, typically 3-4 office employees. Utilizing A-1, Mr. Frogale reviewed the proposed floor plan with the Board.

8. The Applicant submitted a document entitled “Use Variance” in its application submission which contained their justifications for the granting of the Use Variance. Mr. Telsey reviewed those standards with the Board noting again that the manufacturing of wooden trusses is permitted in this zoning district and that it is solely due to having two (2) principal uses on one property that the Use Variance is needed. There is no negative impact to the surrounding neighborhood as this site will continue to operate as his has for years. There will be no increase in use from what has occurred on the property for many years

and no impact between the various operations that take place on site. Again, there is no substantial detriment to the zoning code or master plan as this type of use is permitted in this zoning district.

9. The Board weighed the positive and negative criteria and determined that special reasons exist for the granting of the Use Variance requested. The use of the building for the manufacturing of component packages including wall panels, floor trusses, and roof trusses as a second primary use, on this very large 500 acre complex, is substantially similar to the uses that are permitted in the Industrial Zoning District, such as wholesalers or distributors, baking food and dairy processing. The two uses will not in any way negatively impact each other. Utilizing a building which would otherwise remain vacant is a positive use of an existing building. There will be no negative impact to the surrounding community as the use will be less intensive that previously occurred in the building and the operations will take place on the large Mannington Mills complex which will be out of sight of the general public. There is no substantial impact to the zoning code or master plan as the propose use is a permitted use in the zoning district.

10. The Board further determines that a Waiver of Site Plan Approval is appropriate for the situation in question, as there are no proposed changes to the site. As such, the Board determined that the criteria for the granting of a site plan waiver were met and the Board granted the Waiver of Site Plan Approval, subject to the conditions set forth herein.

WHEREAS, upon motion duly made and seconded to Grant the "Application for Land Development" to GRANT the Use Variance and for Waiver of Site Plan Approval, the Board, by a vote of 6 in favor, 0 opposed and 0 abstentions, (Voting for: Colletti, Schneeman, Sakewicz, Emel, Richman and Schmid), voted to **GRANT** the application; and

NOW, THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Township of Mannington, sitting as a Zoning Board of Adjustment, the application of Mannington Mills Inc., 75 Mannington Mills Road, Mannington, New Jersey 08079 requesting a Use Variance and Waiver of Site Plan Review Approval, to allow the construction of component packages including wall panels, floor trusses, and roof trusses in an existing buildings by a third party tenant, which would constitute a second primary use, for property located at 75 Mannington Mills Road and known as Block 60, Lot 4, is **HEREBY APPROVED**, subject, however, to the testimony, representations and stipulations of the Applicant and their representatives, professionals and witnesses at the time of the hearing and in their submissions, and further specifically, subject to the following terms and conditions:

1. Subject to the Applicant complying with and obtaining any and all necessary approvals from any other local, county, state and/or federal government or administrative body, having jurisdiction over all or part of this land use development approval; and

2. In accordance with the code provisions of the Township of Mannington, no permits, approval or certificate shall be issued until all

contingencies provided for herein are satisfied and no Certificate of Occupancy shall be issued, until all other contingencies provided for herein are satisfied and all bills and escrows relating to this property have been paid in full; and

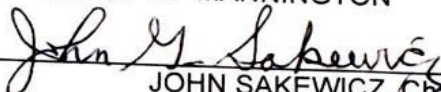
3. The Applicant will comply with all provisions of the Township Engineer's letter of November 8, 2024, unless specifically modified herein or on the record at the time of the hearing; and

4. The Board Engineer shall review all plans and amended plans and inspect the site of the development (inspections by the Twp. Engineer as appropriate) in order to determine compliance with the terms and conditions of the Board approval. Any shortcomings noted by either shall be addressed to the satisfaction of the professionals before the issuance of a Certificate of Occupancy. The Applicant shall submit appropriate escrow amounts, as determined by the Board Engineer or Township Engineer and applicable law, for inspections; and

5. The Applicants will comply with all of the representations, findings and agreements set forth in the Board's findings of facts set forth above, as well as, all agreements and representations made by the Applicant on the record at the time of the hearing; and

6. The Applicant shall pay all escrows, costs and professional fees associated with the application pursuant to the Mannington Township ordinances and the MLUL within thirty (30) days of notice of said fees and costs, absent any challenge by the Applicant as to the correctness or amounts of such fees and costs.

THE PLANNING/ZONING BOARD OF THE
TOWNSHIP OF MANNINGTON


JOHN SAKIEWICZ, Chairman

ATTEST:

The foregoing Resolution was a memorialization of action taken at a regular meeting of the Planning/Zoning Board of the Township of Mannington held on the 14th day of November 2024; and such resolution was adopted by the Planning/Zoning Board of the Township of Mannington at a regular meeting held on December 12, 2024, by a vote 3 to approve, 0 to oppose and 0 to abstain.


REBECCA FERGUSON, Secretary

In favor of the resolution: M.C., J.S. + D.E.

Opposed to the resolution: 0

Abstained: 0

Block 3, Lot 18 and Block 3, Lot 20

92 Warner Road

Application for a Variance/Site Plan (*Continuance from the September 2024 Meeting*)

Mr. Asay stepped down from the board at this time because this is a use variance.

Mr. Aimino stated that there are six members on the board and the applicant would need five affirmative votes.

John DiGregorio stated that he is at an impasse. He would like to withdrawal his application without prejudice. The applicant can reinstate the application in the future. He would need to send a letter with the request. There would be no application fee required but the escrow account must be brought current.

If over a year passes, Mr. Gaskill requested that the engineer send a letter stating that there are no changes to the site plan.

Michael Colletti made a motion to approve the resolution. Dory Emel seconded the motion.

Motion Carried 6-0

YES: D.C., M.C., N.C., J.S., D.E. and A.C.

Informal Presentation – Robert DiGregorio

90 Warner Road

Robert DiGregorio was sworn in.

Mr. DiGregorio share a portion of a video clip.

He provided a variety of documents for the board that supported his position. He also shared a site plan. Mr. DiGregorio stated that he has submitted an application to the township.

Mr. Aimino stated that this matter is currently in litigation and will be decided by the courts soon.

Mr. DiGregorio asked the board to consider his position.

Mr. DiGregorio asked members what steps he might need to take. He asked if he even needed to be at the meeting tonight.

Mr. Aimino stated that there is no decision making at this meeting tonight. This is an informal presentation.

Mr. DiGregorio thanked the members for their time.

Mr. Asay returned to the board. He was advised by Mr. Aimino that he is not to look at the documents held by the planning board regarding this matter.

There was no Miscellaneous Business.

Mr. Asay thanked members for their time and energy this past year. Thank you to those returning. Happy Holidays.

The meeting was opened to the public.

The meeting was closed to the public.

The meeting was adjourned at 7:47 PM.

Respectfully Submitted,

Rebecca Gower Ferguson
Planning Board Secretary