

**VERNON TOWNSHIP LAND USE BOARD
REGULAR MEETING MINUTES
October 8, 2025**

CALL TO ORDER

Meeting was called to order by Chairman Theobald at 7:00 p.m.

STATEMENT OF COMPLIANCE:

Pursuant to the Open Public Meetings Act, adequate notice of this Regular Meeting has been provided to the public and the press on January 29, 2025, by delivering to the press such notice and posting same at the Municipal Building.

SALUTE TO THE FLAG

Chairman Theobald led the assemblage of the Flag.

ROLL CALL

Mayor Anthony Rossi	P	Also Present:
Ann Larsen	P	Ann Marie Rizzuto, Board Attorney
Councilmember William Higgins	P	Thomas Knutelsky, Board Engineer
Martin Theobald	P	Jessica Caldwell, Board Planner
Richard Spoerl	NP	Kimberley Decker, Board Secretary
Willard McPeck	P	
Andrea Cocula	P	
Jacqueline Haley	P	
Michael Whitaker	P	
Jodi White- Bearstler Alternate #1	NP	
Paul Mele Alternate #2	NP	
Craig Williams Alternate #3	Resigned	
Mark Vizzini Alternate #4	NP	

Chairman Theobald stated record reflects that Member Willimas submitted letter of resignation from the Land Use Board and that letter of thanks be sent to him for his volunteer service to the Board and community.

PUBLIC HEARINGS

LU# 9-25-9 – **O'Neill Group 12, LLC** – Minor Site Plan to store a trailer, stockpile, and a container on a vacant lot

Lauran O'Neill, Esq. came forward to request minor site plan approval for Theta Developers to set staging area on 12 Theta Drive for construction equipment for activities in surrounding area.

Eric Hough, NJ licensed Engineer from Bertin Engineering was approved by Board to testify on behalf of applicant. Application is to request approval to store construction vehicles and equipment on Block 404 Lot 6, 12 Theta Drive as needed during ongoing construction of surrounding lots. Items proposed for storage on as needed basis include a site trailer; c-box container; excavator; mini-excavator; roller; loader; dump truck; 300 linear feet piping for detention system and crushed stone or rock. Mr. Hough stated security fence is not proposed but silt fence is needed per requirements by approved application to Upper Delaware Soil Conservation District (UPSCD). The trailer will have temporary electrical power by

JCP&L and when construction is completed at adjacent 19-21 Omega project, the staging site will be restored to current conditions.

Board Engineer Knutelsky noted testimony provided addressed outstanding items and recommended specific approved list of equipment be added to resolution. He noted #7 in Board Engineer's report of October 3, 2025 that disturbance be restored; and Board recommended within three (3) months of receiving Certificate of Occupancy of building at 19-21 Omega which was agreed to by Ms. O'Neill.

Chairman Theobald opened the Hearing to the Public. Seeing no one wishing to come forward, Chairman Theobald closed the Hearing to the Public.

Motion: Motion to Approve LUB#9-25-9 per testimony and Board professional conditions was made by Mr. Whitaker and was seconded by Mr. McPeck.

ROLL CALL: ROSSI: Y; LARSEN: Y; HIGGINS: Y; MCPEEK: Y; COCULA: Y; WHITAKER: Y; HALEY: Y; THEOBALD: Y. Motion Passed

Chairman Theobald stated that Mayor Rossi and Council Member Higgins stepped down from LU#9-25-8 due to being a Conditional Use Variance.

LU# 9-25-8 – Veolia Water New Jersey, Inc. – Block 241, Lot 12, - Preliminary and Final Site Plan with Conditional Use and Bulk Variances to Construct a 383 square foot addition to the existing water utility building to include the installation of PFAS filtration equipment, an above ground emergency generator and an above ground water storage tank

Mr. Craig Bossong, Esq. from Florio, Perrucci, Steinhardt, Cappelli & Tipton, LLC came forward to request approval for site plan and conditional use variance approval for installation of PFAS filtration system for residential water supply per new NJDEP regulations. Addition to existing structure is proposed to install PFAS system with small 24,000-gallon water storage tank utilizing existing generator. Small lot was carved out of larger 47.5-acre lot owned by NJDEP which created limitations with setbacks, buffers and not adjacent to any public roadway causing needs for front yard, rear yard, side yard variances. After discussion with HOA, the proposed height of the water tank was lowered from 23.12' to 17.65.'

Mr. Knutelsky stated, per October 3, 2025 Board Engineer's report, Applicant requested waiver for checklist item#20, Environmental Impact Statement, which there is no objection for completeness purposes due to being a previously disturbed site on environmentally protected land and operating as same use.

Ms. Rebecca Mazzola, licensed Engineer from WSP USA Solutions, Inc. came forward on behalf of Applicant and was accepted by Board as expert. Board Attorney Rizzuto noted revised plans prepared by Ms. Mazzola dated 10/2/2025 were not signed and a page number correction is needed for Township files.

Ms. Mazzola described Exhibits A1 sheet C-101, A2 sheet C201 and A3 C503 colored renderings of submitted plans for existing water treatment plant with generator and gravel/grassy surface access easement to Toboggan Lane. Sheet C-201 shows proposed new 20' x 21' building with 7' x 18' breezeway with small asphalt area for maintenance operator. Also shown is proposed retaining wall and storage tank in dark green color which was recommended by HOA subject to Board approval. Applicant requested waiver for lighting plan but noted slight overage of .4- and .5-foot candle on NW & NE property lines. Light is on timer and motion activated during nighttime in which operator will be dispatched to investigate.

Ms. Mazzola described Exhibit A-4 showing dark green water tank, new building with garage door, side door, and breezeway with guard rail near slope for safety reasons. Exhibits A-5 and A-6 shows aerial views of proposed improvements to site noting bollards added to protect building. The proposed landscaping is under review with HOA but noted all grass disturbance will be restored, and trees will be added at border if requested to prevent any negative visual impact by adjacent property owners.

Mr. Knutelsky noted that Applicant has testified reasons for proposed improvements of water treatment system that are required by State. The proposed retaining wall is 5' high and will require engineered design as condition of any approval. Applicant has addressed access driveway and the tank height lowered for HOA concerns. He recommends a condition be added to the resolution that landscaping needs be addressed per satisfaction of Township Engineer and HOA after all improvements complete. The applicant confirmed color of proposed tank will be green and the building will be earthtone as shown on plans. He noted site is in Highlands Preservation Area and the Public Utility would qualify for exemption.

Ms. Mazzola explained need for drain overflow in tank and explained it is used rarely, possibly once every 20 years, when major tank repairs are needed. The current drainage pattern on the site has no impact to any adjacent properties.

Board discussed proposed lighting on site and expressed concerns about light on overnight due to motion activation, but Ms. Mazzola confirmed Applicant will abide with switch and remote sensor. Mr. Knutelsky added waiver is requested for design standard because foot candle is exceeded on NW & NE property lines. Ms. Mazzola stated no new signage is proposed on site and noted proposed 24,000-gallon tank is not required to be heated.

Ms. Caldwell stated proposed applications require conditional use variance, planning variance and several D3 bulk variances for lot area, lot width and distance between building and tank. She noted that applicant is proposing the continued use of the water treatment utility and site is suitable which complies with local ordinance. Mr. Bosson explained due to the site constraints, variances requested have all been addressed and utility is for the benefit of approximately 50 residents of Lake Glenwood. Board Members had no further questions.

Chairman Theobald opened the Hearing to the Public. Seeing no one wishing to come forward, Chairman Theobald closed the Hearing to the Public.

Board Attorney Rizzuto stated conditions of approval are to comply with all requirements in Board Engineer's and Planners reports; landscaping to be approved by Board Engineer and HOA; waiver of Environmental Sensitive Area approved; plans to be updated and resubmitted sealed; new generator removed from application and change in lighting system to switch rather than motion activation.

Motion: Motion to Approve LUB#9-25-8 per testimony and Board professional conditions was made by Ms. Cocula and was seconded by Mr. Whitaker.

ROLL CALL: LARSEN: Y; MCPEEK: Y; COCULA: Y; WHITAKER: Y; HALEY: Y; THEOBALD: Y. Motion Passed

Council Member Higgins rejoined Board.

PUBLIC PARTICIPATION

Chairman Theobald opened the meeting to the Public. Seeing no one wishing to come forward, Chairman Theobald closed the meeting to the Public.

RESOLUTIONS

LU# 7-25-6 – Aqua New Jersey, Inc. – Block 546, Lot 45, - Preliminary and Final Site Plan with Use, Bulk and Conditional Variances to permit the development and use of improvements associated with PFAS water treatment equipment involving a utility enclosure containing two PFAS water treatment vessels

Eligible to vote: Auberger, Spoerl, McPeek, Cocula, Whitaker, Haley, Theobald

Motion: Motion to Approve Resolution for LU# 7-25-6 was made by Mr. Whitaker and was seconded by Ms. Cocula.

ROLL CALL: MCPEEK: Y; COCULA: Y; WHITAKER: Y; HALEY: Y; THEOBALD: Y. Motion Passed

MINUTES

- September 10, 2025 – Regular Meeting Minutes (Auberger, Spoerl, McPeek, Cocula, Whitaker, Haley, Theobald)

Motion: Motion to Approve Minutes of September 10, 2025 as amended was made by Mr. McPeek and was seconded by Mr. Whitaker. All Members eligible voted in Favor. Motion Passed

APPENDIX A – ESCROWS, BOARD FEES, BOND REDUCTIONS AND ESCROW CLOSURE

ESCROWS, BOARD FEES, AND BOND REDUCTIONS

A. Board Fees

1. **Board Attorney** – Glenn Kienz, Weiner Law Group LLP
 - Land Use Board Business – Services Through 8/27/25 (\$720.00)
 - Frank Dewitt - LU# 7-25-7 – Services Through 8/28/25 (\$472.50)
 - Thomas Reeves – LU# 7-25-5 – Services Through 8/19/25 (\$472.50)
 - Waleid Shousha – LU# 5-25-3 – Services Through 8/19/25 (\$544.50)
 - 515 Vernon Property – LU# 7-20-4 – Services Through 8/12/25 (\$252.00)
 - Red Hand LLC – LU# 2-25-1 – Services Through 8/28/25 (\$1,012.50)
2. **Board Planner** – Jessica Caldwell, J. Caldwell & Associates
 - Land Use Board Business – Services Through 8/27/25 (\$675.00)
 - Aqua New Jersey – LU# 7-25-6 – Services Through 8/7/25 (\$300.00)
 - 515 Vernon Property – LU# 7-20-4 – Services Through 8/12/25 (\$150.00)
 - Red Hand LLC – LU# 2-25-1 – Services Through 8/15/25 (\$870.00)
3. **Board Engineer** – Cory Stoner, Harold E. Pellow & Associates
 - Land Use Board Business – Services Through 7/9/25 (\$72.50)
 - Mountain Creek – PB#2-91-4 – Services Through 7/9/25 (\$72.50)
 - Bright Horizon – LU# 1-22-1 – Services Through 7/30/25 (\$1,972.10)
 - Red Hand LLC – LU# 2-25-1 – Services Through 7/11/25 (\$145.00)
 - O’Neil Group 517 – LU# 6-25-4 – Services Through 7/3/25 (\$810.00)
4. **Board Recording Secretary** – Irene Mills (\$100.00)

October 8, 2025 LUB Minutes

Motion: Motion to Approve Fees was made by Mr. Whitaker and was seconded by Mr. McPeck. All Members voted in Favor. Motion Passed

ADJOURNMENT

There being no further items of business to be conducted on the agenda, a motion to adjourn the meeting was made by Ms. Cocula and was seconded by Ms. Larsen. All Members were in favor.

Meeting was adjourned at 8:02 pm.

Respectfully Submitted

Irene Mills, Recording Secretary