

MINUTES

PLANNING BOARD

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

October 16, 2019

The Regular Meeting of the Planning Board was called to order at 7:30 PM by Michael Einbinder in the Public Meeting Room.

Mr. Einbinder confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had been posted in Town Hall, Board Office, and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue significantly past 10:30 PM.

Roll Call:

Members present were Mr. Einbinder, Mr. Johnson, Mr. Niceforo, Mr. Hall, Ms. Schwartz, Ms. Poage, Ms. Greenwald and Mr. Cunningham. Mr. Robertson, Board Attorney, and Mr. Atkinson, Board Engineer, were also present.

Application for Review:

App.#SP-6-19: Gulf American Line, Inc., 135 Industrial Rd., LLC, Bl.1301, L.6

The applicant is proposing to build a 104,784 square foot +/- warehouse/distribution facility with associated office space. The proposed building will be constructed with two floors and occupy a 52,392 square foot +/- building footprint with associated site improvements at the end of Industrial Road. The applicant proposes 54 parking spaces. (LI-Zone)

Michael Vitiello, attorney for the applicant, stated that the applicant is seeking preliminary and final site plan approval for construction of a warehouse at the end of Industrial Road and requesting variances for parking and for a monument sign.

Keith Nostrant, representative of the applicant, explained the company's freight forwarding business and stated that they currently have 38 employees on site at their existing facility on Snyder Avenue. He stated that there is very little traffic flow with approximately 6-7 commercial trucks coming on to the site to deliver freight and trucks leaving the site to deliver the freight to ports.

In response to questions from the Board, Mr. Nostrant stated that the freight only remains on site for 2-3 days, the proposed new facility will be in addition to the existing facility, they anticipate remaining at 38 employees for both facilities but may add a few employees. The office space will remain at the existing facility, trucks will be parked overnight at the new facility, all loading of trucks takes place during the day and there are no perishable items being processed.

Jesse Dougherty, engineer, was sworn, gave his professional and educational background and was accepted as an expert witness. Mr. Dougherty presented Exhibit A-1 – existing conditions plan. He indicated the location of the existing facility and the proposed location of the new facility. He presented Exhibit A-2 – rendered site plan. He stated that when the application was originally submitted the plan was for two full floors but now the proposal is for a warehouse area only above the office section of the first floor. The full second floor has been eliminated.

In response to questions from the Board, Mr. Dougherty stated that the elevator shaft will be put in but not the elevator. The second-floor storage area will be mostly for office materials and there will be a set of stairs leading to it. The building will be fully ADA compliant. Truck traffic between the two buildings will be once a week or so and they would not be moving freight between the buildings.

Mr. Dougherty further stated that there are 54 parking spaces proposed with 3 handicap spaces. The applicant is requesting a variance for parking with 87.5 spaces required. Mr. Dougherty reviewed the drainage and storm water management and stated that a permit application has been submitted to the DEP. There will be lighting in the parking area with no spillage off the property lines.

Mr. Dougherty presented Exhibit A-3 – proposed site plan with truck turn templates superimposed showing access for four types of trucks and how the trucks would be able to turn around on site. He also indicated the location of the proposed retaining wall and landscaping.

In response to questions from the Board, Mr. Dougherty stated that the site has had a Phase 1 environmental inspection.

Mr. Dougherty presented Exhibit A-4 – landscaping plan.

Mr. Dougherty indicated on Exhibit A-2 the proposed location of the monument sign that would be 10' off the property line and would provide identification for visitors to the site.

Mr. Vitiello stated that the applicant is proposing the monument sign for which a variance is required and a wall-mounted sign. The materials for the signs will comply with the Township sign ordinance.

Mr. Dougherty presented Exhibit A-5 – conceptual rendering of the proposed building -- and Exhibit A-6 -- architectural elevation of the rear of the building facing the condominiums. He noted that the HVAC will be located on the roof and will comply with screening requirements.

In response to questions from the Board, Mr. Nostrant advised that the freight is stacked only 2 pallets high, which would be about 8' – 12' at the highest. Mr. Dougherty stated that the applicant will comply with the recommendations made by the Environmental Commission and with the ordinance requirements for the riparian zone to the extent required. The applicant will consider solar panels on the roof but that would be subject to review by the power company. There is no generator proposed for the building at this time.

Mr. Dougherty stated that 84 parking spaces are required and they are proposing 54 which they believe is adequate. A variance is being requested for parking.

Mr. Dougherty presented Exhibit A-7 – site survey. He indicated the location of the easements and stated that there are no improvements proposed in the easement areas.

Open to Public

The hearing was opened to the public for questions regarding Mr. Dougherty's testimony.

Robert Forst, owner of adjacent property, stated concern about street flooding and said he wanted to make the applicant aware of the occasional flooding issue.

Discussion took place regarding the Neglia report. Mr. Atkinson stated that there will be no spillage of light onto the neighboring property, the drainage plan will be reviewed by the DEP, and the Board Engineer will work with the applicant on the storm water management.

Mr. Dougherty stated that he will work with Neglia in order to comply with the recommendations in their report and will provide additional calculations regarding the water line and drainage. The applicant has also reviewed the recommendations of the Fire Department and of the Environmental Commission and will comply with them.

Barbara Ehlen, planner, was sworn, gave her educational and professional background and was accepted as an expert witness. Ms. Ehlen stated that she has reviewed the

Master Plan and believes the applicant's proposal will further the goals of the Master Plan. She stated the opinion that the proposed parking will be sufficient for what is proposed since parking for a warehouse facility requires less parking than retail or office space. With respect to the variance for the monument sign, Ms. Ehlen stated that the sign will help truck drivers identify the site and in her opinion the benefits outweigh the detriments so the variance should be granted.

Discussion took place regarding the adequacy of the parking, particularly in the event some future occupant of the building might construct a second floor or might have more employees who would require additional parking.

Mr. Vitiello noted that construction of a second floor would require a new application before the Board.

Ms. Ehlen presented Exhibit A-8 – floor plan of the first floor showing the proposed office area. Mr. Nostrant stated that the number of employees would be 38, which would include 30 people in the office and 8 other employees. They have not yet finalized the layout of the office.

Open to Public

The hearing was opened to the public for questions regarding Ms. Ehlen's testimony. There were no members of the public who had questions.

Open to Public

The hearing was opened to the public for questions or comments with regard to the application.

Robert Forst was sworn and explained how parking works for the other occupants on Industrial Road. He stated that it is a quiet road and there is plenty of parking available on other locations on the street.

Mr. Vitiello summarized the application and requested that the Board vote favorably on the application.

Discussion took place and Board members expressed their opinions with regard to the application.

Mr. Robertson summarized the proposed conditions of approval.

A motion was made by Mr. Einbinder, seconded by Mr. Hall, to approve App#SP-6-19: Gulf American Line, Inc., 135 Industrial Rd., LLC, Bl.1301, L.6 for preliminary and final site plan approval subject to the conditions discussed and further subject to the requirements, restrictions and limitations that shall be set forth in a Resolution of Memorialization to be adopted by the Board at a future meeting.

The Motion was carried 7-1 with Mr. Einbinder, Mr. Johnson, Mr. Niceforo, Mr. Hall, Ms. Schwartz, Ms. Poage and Mr. Cunningham voting in favor and Ms. Greenwald opposed.

Adjournment:

A motion was made by Mr. Einbinder, seconded by Mr. Hall, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 9:50 p.m.

Regina Giardina, Secretary Pro-Tem