

**Joint Land Use Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
December 2, 2020**

1. Call to Order

Chairperson Conahan called the meeting to order at 7:10 pm.

2. Open Public Meeting Act Statement

Chairperson Conahan read the Open Public Meeting Act Statement.

3. Roll Call

The following members were present:

CLASS IV MEMBERS:
FRANK RYAN DEC/2020 [PRESENT] MARK KRANZ DEC/2023 [PRESENT]
MICHAEL CONAHAN DEC/2022 [PRESENT]
ROBERT SHERR DEC/2022 [PRESENT] PAUL WOSKA DEC/2023 [PRESENT]
JOSEPH DESCENZA DEC/2021 [PRESENT] ALTERNATE 1
JOE CARUSO DEC/2021 [PRESENT] ALTERNATE 2

STEPHEN GRECO DEC/2020 [PRESENT] CLASS I MEMBER
ROBERT DESSINO DEC/2020 [PRESENT] CLASS II MEMBER
JEREMIAH CARNES DEC/2020 [PRESENT] CLASS III MEMBER

Also present Board Attorney: Mr. William Robertson
Board Engineer: Mr. Peter Ciliberto
Board Planner: Mr. Paul Ricci
Zoning Officer: Mr. Joe Costa

4. Minutes

Member Descenza made a motion to approve the October 28, 2020 meeting minutes, seconded by Member Woska. Vote: All in favor. Motion passed.

5. New Business

JLUB 2020-009
CP Middlesex LLC
Mountain Ave/Wood Ave
Block 318 Lots 4.02, 38.01,48

Major Preliminary and Final Site Plan

Mr. Steven Tripp of Wilentz, Goldman and Spitzer stated he is representing CP Middlesex.

Mr. Tripp stated that CP Middlesex LLC is the contract purchaser and contract Redeveloper of the site.

Mr. Tripp stated that the applicant is seeking approval to build a 379,340 sq.ft. warehouse with ancillary offices. He stated that there is limited frontage on Mountain Ave, applicant is proposing access through Wood Ave. and an existing right-of-way. There is a possibility of access to Cedar Ave. The applicant has been in negotiations with the Borough regarding right-of-way-easements.

Mr. William Robertson duly swore in Mr. Jeffrey Bastow of Claremont. Mr. Bastow stated he is the Principle owner of Claremont.

Mr. Bastow stated that the blighted junkyard with environmental issues would be remediated and made productive for the town.

Mr. Bastow stated that there are soil and groundwater contaminants on the site. The contaminants came from the rail and salvage yard that previously occupied the site.

Mr. Bastow stated that it will cost approximately \$10 to 12 million to clean the site and they are only responsible for 35%.

Mr. Bastow stated that they are not responsible for contamination on site, the previous companies had contaminated the site.

Mr. Bastow stated that within the warehouse there will be a 14,000 sq ft office. He wanted an access road on William St. but William St. is half in Piscataway and half in Middlesex. He stated there he could not get consent from Piscataway to use the road.

Mr. Bastow stated that there are contracts with D & J Autobody to use their property, agreed to post traffic study a year after completion, stated that access to Cedar Ave. has to be approved by DEP as there are flood hazard/wetlands.

Mr. Bastow stated that the site will have Department of Public Works building and there is a separate agreement for a sewer pump station.

Mr. Bastow stated that he has been working with the Borough and is seeking approval for plans submitted.

Chairperson Conahan opened the meeting to the public for questions.

Member Dessino asked what was the name of the Railroad.

Mr. Bastow answered GATZ Railroad.

Jeremy Hart, 90 Wood Ave, asked a question regarding truck traffic.

Mr. Hart was informed that traffic questions will be answered by the Traffic Engineer.

Member Caruso asked what years the site was used.

Mr. Bastow stated that the 1940's to 1970's the site was used by the Railroad and 1980's Absolute Auto Salvage started to use the site.

Member Ryan asked if Mr. Bastow had dealt with the state with obtaining DEP permit and asked what where his odds of obtaining the permit.

He stated that it is a lengthy and difficult process but it has been done.

Mr. Tripp also stated that the applicant agrees with the Fire Marshal and Police Department memos.

Mr. Robertson duly swore in Mr. Chris Cirrotti of Langan Engineering.

Mr. Cirrotti stated his education and credentials.

The Board accepted Mr. Cirrotti as an expert witness.

Exhibit A1 12/2/2020 was entered as an aerial exhibit photograph taken two years ago showing the existing conditions on the site.

Mr. Cirrotti used Exhibit A1 12/2/2020 to show the north side of the property where the railroad tracks are located, the west and the south sides are wetlands, the easterly side of the property is the frontage of the property.

Mr. Cirrotti explained that:

- the site is 21 acres
- where lot 4.02 will be corrected by the Tax Assessor
- where the underground utilities will be
- area is transitional Zone-Sub Area A for Redevelopment
- where the DOE property access easement is located.

Exhibit A2 12/2/2020 was entered as site plan rendering dated 12/2/2020 depicting the easement from Wood Ave to site.

Mr. Cirrotti stated that the primary use of the site is the warehouse that includes office space.

Mr. Cirrotti stated that there are 329 parking spaces located on the north, east and west sides of the property, the parking spaces are in excess of what is required.

Mr. Cirrotti stated that the southside of the property is designated for the truck docks; 55 doors that are 4ft in height.

Mr. Cirrotti stated that the access to the site is through Wood Ave., through a two-lane road.

Mr. Cirrotti stated that the applicant will comply with the Police Department memo regarding restrictions of parking on north side of Wood Ave.

Mr. Cirrotti explained that the Wood Ave entrance was chosen for safety as the driveway by the bridge on Mountain Ave has poor site distance.

Mr. Cirrotti explained that the utilities are existing on Mountain Ave. and will connect to these.

Mr. Cirotti explained the southwest area of the site considered truck parking area, the applicant has agreed to expand stormwater basin.

Mr. Cirotti explained the site lighting:

- there will be 25 light pole fixtures that are 25 ft. in height.
- along the southern property line- the light poles will be 35ft. in height
- will exceed the 6ft. candle lighting requirement on the property
- will meet the lighting requirements for the bulk of the site

Chairperson Conahan asked if there would be any impact on the Piscataway neighborhood.

Mr. Cilberto stated that the applicant has agreed with the stormwater requirements.

Mr. Ricci asked if the applicant would install shields along the Piscataway side.

Mr. Cirotti stated that would look into the shields and the lighting drops within 30ft. of the property line.

Mr. Cirotti explained the site landscaping:

- Tree replacement fees will be covered by the Developer's Agreement

Mr. Cirotti explained the signage on the site; there will be 2 monument signs and signs on the building. The signs will be compliant with Borough Ordinances.

Mr. Ricci asked if there would be directional signs located along Mountain Ave.

Mr. Bastow stated that they would look into directional signs along Mountain Ave.

Member Greco asked about the dimensions of the signs.

Mr. Cirotti stated that the monument sign is 15ft, 100sq.ft. and set back 10ft. from the property line.

Exhibit A3 12/2/2020 was entered as a 3D perspective of the proposed building.

Mr. Cirotti explained that as part of the submission the proposed building was submitted in three colors; blue, red, orange.

Mr. Ricci was not in favor of the orange color.

Member Descenza stated that the local high school colors are blue and white and was in favor of the blue color.

Mr. Bastow stated that the tenant would pick the color.

Member Conahan confirmed there would not be neon colors.

Member Dessino confirmed that there would not be parking along Mountain Ave.

Mr. Bastow explained that on the eastern side of the D & J Autobody property the different possible layouts depending if they stay on the site or vacate the site.

Member Dessino questioned how long would it be for this project to be completed.

Mr. Bastow stated that he hoped that the remediation of the site would be completed by the second quarter of 2021 and hopefully no more that 12 months to complete construction; looking to be complete by 2022.

The Board discussed parking on Wood Ave.

Mr. Bastow was agreeable to no parking on Wood Ave.

Mr. Jeremy Hart, 90 Wood Ave., stated that his employees back in and legally they could be out 6ft further. He was opposed to taking away parking on the street. He questioned trailer storage.

Mr. Ricci stated that containers were prohibited and there are limits on the containers.

Mr. Tripp stated that the site is an active warehouse and parking is allowed on site, trailers not being used for storage, trucks would be going in and out of the site.

Member Dessino asked a question regarding the DEP access road on the site.

Exhibit A4 12/2/2020 was entered as Site Access Plan for Cedar Ave. dated November 20, 2020, the black lines would be the road which are located on the left side of the page.

Mr. Tripp stated that the outside approvals for Middlesex County, Freehold Soil and DEP are pending.

Mr. Costa, Zoning Officer asked if the changes to the D & J Auto Body site would create any variances that the Board would have to approve, would the site be in compliance with bulk ordinances.

Mr. Ricci questioned if the D & J property was to be available how would that affect access.

Mr. Bastow stated if there was no business at that site, he would remove the building and expand road.

Member Dessino questioned the sewer easement.

Mr. Ciliberto questioned if the applicant needed a certain GP11 DEP permit.

Mr. Cirotti stated that the applicant needed a GP4 DEP permit which would encompass the GP11 permit.

Member Kranz asked a question regarding the type of pavement to be used.

Mr. Cirotti stated that the pavement would need to be upgraded on Wood Ave.

Mayor Madden, questioned the size of the sewer pipe and if the movement in the pipe was force or gravity.

Mr. Cirotti stated that the pipe size was 10inch and the movement is gravity.

Mayor Madden asked what was the width of the access road.

Mr. Cirotti stated that the width of the road is 30ft.

Mr. Bastow stated that agreeable to Knox box would be added to pump station, the applicant will add to plan.

Mayor Madden asked if Freehold Soil would be involved with the access to Cedar Ave.

The Mayor was informed that Freehold Soil would be involved.

Chairperson Conahan opened the meeting to the public for questions for the Engineer, there being no questions Chairperson Conahan closed the questions to the Engineer.

Member Woska asked if there was a possibility to go thru the adjoining industrial site.

Mr. Cirotti stated that it would be the most logical way but it was too tight since it is an active site.

Mr. Robertson duly swore in Dan Disario, the applicant's Traffic Engineer.

Mr. Disario stated his education and credentials.

The Board accepted Mr. Disario as an expert witness.

Mr. Disario explained that the current access point for the site is not going to be used as is too close to the overpass for the train.

Mr. Disario stated originally the plan was to use William St. but Piscataway would not allow it.

Mr. Disario stated that the access plan is to use Wood Ave.

Mr. Disario stated that there was a huge regulatory hurdle to go to Cedar Ave.

Mr. Disario stated that the proposed warehouse is considered modest in size, he stated that during the day there would be 66 trucks coming and leaving the site in a day.

Mr. Disario stated warehouse work shifts are usually 6am to 3pm, before the normal work commute and leave before 4pm.

Mr. Disario stated the second shift usually starts at 3:30pm and leaves later, outside the normal commute times.

Mr. Disario stated that the trailer parking is key for the tenants, there are 128 trailers and 2 trailer spaces per dock door.

Mr. Disario stated that they are in agreement that a traffic signal at Mountain and Wood is better for the project.

Mr. Disario stated that they have agreed to a post occupancy study.

Member Woska asked a question about traffic metering on Lincoln Blvd.

Mr. Disario stated they would have to synchronize with William St. Lincoln Blvd.

Mr. Robertson duly swore in John Jahr, Traffic Engineer Najarian Associates.

Mr. Jahr stated that the NJ DOT would not consider this a major traffic application.

Mr. Disario stated that in the morning there are 72 trips and, in the evening, there are 79 trips.

Mr. Disario stated that between 7am to 9am there were 38 cars in and 20 cars leaving for a total of 58. There were 9 trucks entering and 15 trucks leaving for a total of 14. The total of 72 two-way trips

Mr. Disario stated that between 4pm to 6pm there were 15 cars in and 48 cars out for a total of 63. There were 4 trucks in and 12 trucks out for a total of 16. The total of 79 two-way trips.

Mr. Jahr agreed that Mr. Disario traffic analysis was on target.

Mr. Jahr stated that there was a 25% flexibility, if the peak was off more that 25% additional mitigation would be required.

Mr. Disario stated that the applicant would install a light if warranted, and has agreed to an after study.

Mr. Disario stated that the lights on William, Wood and Lincoln would need to be coordinated.

The Borough would work with applicant regarding easements regarding traffic light.

Member Dessino commented that he went to Baekeland Ave/ River Rd and there is hardly any truck traffic.

Member Descenza stated that he visited the Amazon warehouse in Edison and there seems to be no traffic.

Chairperson Conahan opened the meeting to the public.

Mayor Madden, appreciated the thoroughness of the study.

Jeremy Hart, 90 Wood Ave., stated that making the left hand turn off of Wood is difficult, that traffic backs up when NJ Transit opens and closes the gates for the trains, asked would it be possible to put a left turn signal at the light Lincoln Blvd. and Mountain Ave.

Chairperson Conahan stated that Lincoln Blvd is a county road and would need county approval.

The study indicated that there were 121 left turns onto Lincoln Blvd.

The Borough Engineer would need to submit to the County for approval.

Chairperson Conahan closed the public for questions to the Traffic Engineer.

The Board continued with the application reviewing the Langan Engineering response letter dated November 18, 2020.

Mr. Ricci stated that the project was thought out and was an advocate of this type of Development for the Borough.

Mr. Ciliberto asked a question regarding PCB's on the property.

The applicant stated the there are 10 to 50 capsulated and 50 are to be removed.

The applicant has agreed to the technical letter.

Member Ryan asked if the 35ft. light poles could get a backing plate.

Mr. Cirotti stated that they will look into placing shields.

Member Descenza stated that he could think of six pros and one con for the application. He stated that the pros of the application were that contaminates would be eliminated, tax revenue for the Borough, increase to local borough businesses, local jobs, aesthetic appearance, improvements for DPW. His concern was traffic. He stated he was in favor of the application.

Member Carnes(via phone) stated he agreed with Member Descenza.

Member Kranz asked a question if the contamination was half of the site or random areas in the site.

Mr. Bastow stated the contamination was dispersed throughout the site and there would be a monitoring well system and slab ventilation system in the warehouse.

Member Conahan asked what percentage of the remediation has already been done.

Mr. Bastow stated that the cleanup had started in September and approximately 20% had been cleaned and hoped to be complete by second quarter 2021.

Chairperson Conahan opened the meeting for public questions, there being none he closed the public questions.

Chairperson Conahan opened the meeting for public comments, there being none he closed the public comments.

Chairperson Conahan asked for any other Board comments on the application.

Member Woska commented that the project was great for the community, taking blithe land and improving, and also creating jobs.

Chairperson Conahan stated that he agreed with Member Descenza comments and asked if John Jahr and Borough work the County regarding the left turn signal at the Lincoln Blvd and Mountain Ave light.

Member Ryan comment he thought it was a good project, always going to have traffic and the impact would not be horrendous.

Member Sherr commented that he was worried about the traffic and his questions were answered.

Member Kranz commented that the project would take a piece of land being wasted to a productive site.

Member Descenza made a motion to approve the preliminary and final site plans along with the planning variance for public street access, lighting standard subject to back lighting, permit trailers overnight as long as an active facility, with conditions that the applicant make a good faith effort to access Cedar Ave, access to Wood Ave, restripe parking north side Wood Ave with Borough approval, tree replacement money to be a part of the Developer's Agreement, work with Borough for traffic signal at Mountain/ Wood Ave, agreed to traffic count and if number are off more than 25% a full traffic study would be warranted, approval would not bind the Board for D & J property, trailers can't be used for storage of materials, trailers can not be off chassis, seconded by Member Sherr. Mr. Robertson confirmed that Member Carnes could hear all the testimony via phone. Member Carnes did not hear all the testimony and stated he would abstain from voting. Vote: Chairperson Conahan-yes, Member Woska-yes, Member Ryan-yes, Member Kranz-yes, Member Sherr-yes, Member Carnes-abstain, Member Dessino-yes, Member Greco-yes, Member Descenza-yes, Member Caruso-yes. Motion passed.

Chairperson Conahan opened the meeting for public comments.

Mayor Madden thanked the Board and Professionals for their thorough job on the application.

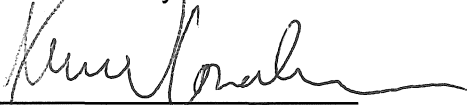
There being no further public, Chairperson Conahan closed the public portion of the meeting.

6. Board Comments

Chairperson Conahan read into the record the resignation email from Martin Quinn. Mr. Quinn has been selected to fill a council seat and will no longer be on the Joint Land Use Board.

Chairperson Cohan announced the next meeting will be December 9, 2020.

There being no further business Member Greco made a motion to adjourn the meeting at 10:00 pm, seconded by Member Descenza. Vote: All in favor. Meeting adjourned.


Michael Conahan, Chairperson


Karen Wick, Board Clerk