

Joint Land Use Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
October 13, 2021

1. Call to Order

Chairperson Conahan called the meeting to order at 7:02pm.

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/2024 [PRESENT]	MARK KRANZ DEC/2023 [PRESENT]
JOSEPH DESCENZA DEC/2021 [ABSENT]	MICHAEL CONAHAN DEC/2022 [PRESENT]
ROBERT SHERR DEC/2022 [PRESENT]	PAUL WOSKA DEC/2023 [PRESENT]
JOSEPH CARUSO DEC/2021 [PRESENT] ALT 1	
TODD NICOLAY DEC/2022[PRESENT] ALT 2	

ROBERT DESSINO DEC/2023 [PRESENT] CLASS I MEMBER
STEPHEN GRECO DEC/2021 [PRESENT] CLASS II MEMBER
JEREMIAH CARNES DEC/2021 [PRESENT] CLASS III MEMBER

ALSO PRESENT: BOARD ATTORNEY-MR. BILL ROBERTSON
ZONING OFFICER- MR. JOE COSTA
BOARD ENGINEER-MR. ROBERT BUCCO
BOARD PLANNER- MR.PAUL RICCI

5. Minutes

Member Sherr made a motion to adopt the September 22, 2021 meeting minutes, seconded by Member Caruso Vote: All in favor. Motion passed.

6. Old Business

JLUB 2021-008
Julie McGuire
32 Louis Ave
Block 81 Lot 5

Memorialize Resolution

Member Greco made a motion to approve the Resolution, seconded by Member Woska. Vote: Member Ryan-yes, Member Kranz-yes, Chairperson Conahan-yes, Member Sherr-yes, Member Woska-yes, Member Caruso-yes, Member Nicolay-yes, Member Dessino-yes, Member Greco-yes, Member Carnes-abstain. Motion passed.

JLUB 2021-009
Rosario Badalamenti
207 Harris Ave
Block 180 Lot 5

Memorialize Resolution

Member Greco made a motion to approve the Resolution, seconded by Member Sherr. Vote: Member Ryan-yes, Member Kranz-yes, Chairperson Conahan-yes, Member Sherr-yes, Member Woska-yes, Member Caruso-yes, Member Nicolay-yes, Member Dessino-yes, Member Greco-yes, Member Carnes-abstain. Motion passed.

JLUB 2021-002
Facciponti
585 Union Ave
Block 86.08 Lot 1.01

Memorialize Resolution

Member Sherr made a motion to approve the Resolution to dismiss application without prejudice as amended after discussion of waiving application fee, seconded by Member Caruso. Vote: Member Ryan-yes, Member Kranz-yes, Chairperson Conahan-yes, Member Sherr-yes, Member Woska-yes, Member Caruso-yes, Member Nicolay-yes, Member Dessino-yes, Member Greco-yes, Member Carnes-abstain. Motion passed.

7. New Business

JLUB 2021-010
Board of Education
Fisher Ave
Von E Mauger and Watchung Elementary School
Block 183 Lot 1 & 1B

Courtesy Review

The Board explained that this is not a formal application the plans are submitted to the Joint Land Use Board as required by MLUL 40:55D-31

The Board of Education is represented by Patrick McNamara, ESQ.

Mr. Robertson duly swore in Rachel Tiedermann, Architect of Parette Somjen Architects.

Ms. Tiedermann stated her education and credentials for the Board,

The Board accepted Ms. Tiedermann as an expert witness.

Ms. Tiedermann explained that the Watchung Elementary School would have site improvements such as parking lot and site lighting.

The site lighting would be lit during evening hours and will follow the town regulations.

The parking lot improvements consist of repaving and drainage to the existing lot.

The Von E Mauger School side parking lot and 2 parking lot in the front of the school will be excavated to full depth and sloped to the existing drains.

Mr. Bucco asked if there would be any changes to the drainage patterns and asked if there is any ponding in the parking lot.

The drainage lines would be clean and jetted to the existing drainage.

The parking lot would be restriped and there is no changes in the number of parking spaces. The ADA spots will remain and the signs will be painted to the new standard.

The parking lot lights will be shielded.

Mr. Ricci asked what the height of the light pole would be.

Ms. Tiedermann stated that the BOE will comply with the ordinance of 15ft.

Member Dessino stated that the side lot of Von E Mauger has dry wells.

Mr. Costa asked if BOE is increasing the dry well size.

Member Ryan suggested the company look at the piping to the dry wells before paving the lot.

The Board confirmed that the lighting would be on the edge of the parking lot not in the center of the parking lot.

The Board recommended dimming the lights with security timers and not be on 24/7.

Chairperson Conahan opened the meeting to the public for questions.

Mayor Madden, asked about the width and depth of the dry wells.

There was no information regarding the dry wells.

Chairperson Conahan closed the public for questions.

JLUB 2021-005
Reagent
5 Factory Lane
Block 350 Lot 1

Major Preliminary and Final Site Plan

Mr. John Sullivan stated that he is representing Reagent for the major preliminary and final site plan.

Mr. Sullivan stated the property is located in the HI zone on Factory Lane.

Mr. Sullivan stated that Reagent is bulk marketer of hydrochloric acid.

He stated that to the north and south is the Railroad and to the East and West are Industrial properties.

Mr. Sullivan stated that there will be a new modular building on the site and adding 2 ADA parking spaces.

Mr. Sullivan stated he will be referencing plans last revised August 31, 2021 prepared by Stires Associates, New Fields memo, Architectural plans dated September 20, 2021 prepared by Vanguard.

Mr. Sullivan stated that the three witnesses will be: Larry Hughes, Manager of Reagent, Robert Meehan, LSRP and David Stires, Site Engineer.

Mr. Robertson duly sworn in Mr. Lawrence Hughes, site manager of Reagent for 27 years.

Mr. Hughes stated that Reagent is the bulk distributor of hydrochloric acid. He explained it comes off the railroad container, put into storage then gets shipped out.

He stated that they will be removing the old building and replacing it with a new building.

The new building will have two offices and a quality control laboratory.

Mr. Hughes stated that there will not be a change in the number of employees. He stated that there are 6 full time employees, 10 truck drivers.

He stated the office hours are 6am to 2:30 pm Monday through Saturday. He stated that the drivers are 24/7 leave with trailers.

He stated that the site security will be fenced with security cameras and will have 24/7 site lighting, and no new signs.

The Board reviewed the Collier's Engineering dated September 3, 2021; there will be no public access and Reagent will comply with noise regulations.

Mr. Bucco asked about potential spills.

Mr. Hughes stated that there is a containment area that can handle potential spills.

Mr. Robertson duly swore in Mr. Robert Meehan, LSRP. He stated that he is managing the Reagent site.

Mr. Meehan gave the background of the contamination at the site. He stated that the western half and easter side have been remediated. The central area needs to be done.

He explained how the remediation process for the site will be performed

Member Woska asked what the contaminate was.

Mr. Hughes stated that there is arsenic contamination before Reagent.

Member Ryan asked how far down would the site be dug to remove the contaminated soil.

Mr. Hughes stated that the site would be dug to 8ft but it depends on the levels.

Member Carnes asked where will the contaminated soil go.

Mr. Hughes stated that it would most likely go to landfill in either PA or Alabama.

Mr. Robertson duly swore in Mr. David Stires, the Applicant's Engineer.

Mr. Stires stated his education and credentials.

The Board accepted Mr. Stires as an expert witness.

Colorized version of the site plan was entered as Exhibit A1 10/13/21.

Mr. Stires used Exhibit A1 to show that the site is fully developed, tan buildings are exisiting buildings, brown buildings are new buildings, gray buildings are buildings to be demolished, the location of the tank farm, trucks would be parked on the west side of the property.

Mr. Stires stated that site lighting was addressed with the previous application.

Mr. Stires stated that the new building will be strictly office use and a quality control lab with conference room.

Mr. Bucco confirmed that the proposed building will be on the slab shown on the site plan.

Mr. Stires stated that there is a 30ft rear yard setback and there a zero lotline against the railroad so no variance is required.

The applicant is seeking a waiver of the landscape plan and grant waiver of the parking.

Chairperson Conahan opened the meeting to the public for questions.

Mayor Madden asked a question about potential spills referencing a French drain on the site plan.

Mr. Hughes looked at the plan and stated he believed the drain went to a sand pit.

Mayor Madden asked about the strength of the acid.

The strength is of the acid is 35%

Member Greco made a motion to approve the major preliminary and final site plan with waiver of landscape and visitor parking spaces, prior resolutions approvals still in effect, seconded by Member Kranz. Vote: Member Ryan-yes, Member Kranz-yes, Chairperson Conahan-yes, Member Sherr-yes, Member Caruso-yes, Member Woska-yes, Member Nicolay-yes, Member Dessino-yes, Member Greco-yes, Member Carnes-yes. Motion passed.

8. Correspondence

A. NJDEP-General permit and Flood Hazard permit-245 Mountain Ave

No action required by the Board.

9. Public Comments

Chairperson Conahan opened the meeting to public comments.

Betty Platten, 4 Hooker Ave, asked if the McDonalds property had been sold.

Mr. Costa stated that the property had been sold and had bought all 3 buildings on the property.

Ms. Platten stated her concerns with security with the burned down garage and requested fencing be placed.

Mr. Costa explained the process and ordinance that would need to be adopted to handle these types of situations.

10. Board Comments

A. Master Plan Subcommittee formation

Member Sherr, Member Woska, Chairperson Conahan and Mayor Madden will be the Master Plan Subcommittee.

11. Board Comments

Member Ryan asked a question regarding medical marijuana.

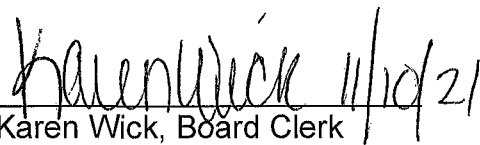
Chairperson Conahan stated that HI and IND zones on the other side of the tracks are where medical marijuana would be located. He stated that it is a conditional use and would have to go to the Board.

Chairperson Conahan announced the next meeting is Wednesday November 10, 2021.

The Board discussed Jason Bond returning for an update. This would be placed on the December 8, 2021 agenda.

There being no further business Member Greco made a motion to adjourn the meeting at 8:24pm, seconded by Member Caruso. Vote: All in favor. Meeting adjourned.

Respectfully submitted,


Karen Wick, Board Clerk