

**TOWNSHIP OF MAHWAH PLANNING BOARD
REGULAR /WORK SESSION MEETING MINUTES
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.
MONDAY, AUGUST 9, 2021 AT 7:30 P.M.**

I. CHAIRMAN 'S OPENING STATEMENT, ROLL CALL, AND FLAG SALUTE

The combined public/work session meeting of the Planning Board of the Township of Mahwah held via Remote Zoom Conference was called to order at 7:31 p.m. by Mr. Crean. The Opening Statement was read according to the Sunshine Law followed by the flag salute and a reminder that Planning Board meetings are being videotaped and broadcast live. It was noted that adequate notice of the meeting was provided specifying that this meeting would be held remotely and that electronic notice of both general access instructions and specific meeting invitations were posted to the Township Website.

These minutes are a synopsis of the meeting. A verbatim audio recording is on file at the Planning Board Office, 475 Corporate Drive, Mahwah, NJ. Copies may be purchased for a fee.

II. Roll Call:

The following individuals were present:

Mayor Wysocki
Mr. Crean
Mr. Donigian
Mr. Ervin
Ms. Galow
Mr. Goldstein
Mr. Grewal
Mr. Lo Iacono
Mr. Pallotta

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., Nicholas Dickerson, P.P.

The following individuals were absent:

Ms. Jankowski
Mr. Olear

III. APPROVAL OF BILLS:

Colliers Engineering & Design	6/14/21	Meeting Attendance	\$200.00
Colliers Engineering & Design	6/28/21	Meeting Attendance	\$200.00
Peter Scandariato	6/14/21	Meeting Attendance	\$250.00
Peter Scandariato	6/28/21	Meeting Attendance	\$250.00
Peter Scandariato	7/12/21	Meeting Attendance	\$250.00

A motion to approve the above bills was made by Mr. Ervin and seconded by Mr. Donigian. A roll call of members present revealed 9 aye votes by Mayor Wysocki, Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Goldstein, Mr. Grewal, Mr. Lo Iacono, Mr. Pallotta and Ms. Galow.

IV. APPROVAL OF MINUTES:

1. July 12, 2021

A motion to approve the above minutes was made by Mr. Lo Iacono and seconded by Mr. Pallotta. A roll call of members present revealed 7 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Lo Iacono, Mr. Pallotta, Ms. Jankowski and Ms. Galow.

V. RESOLUTIONS FOR MEMORIALIZATION:

1. Review of Proposed Ordinance No. 1941 – An Ordinance of the Township of Mahwah, County of Bergen, State of New Jersey, Amending Ordinance 1916 to Correct Schedule of Area, Yard and Bulk Controls for Planned Residential Developments, Resolution of Approval

A motion to adopt the above resolution was made by Mr. Donigian and seconded by Ms. Galow. A roll call of members present revealed 6 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Lo Iacono, Mr. Pallotta and Ms. Galow.

VI. OPEN TO THE PUBLIC – 15 MINUTES:

A motion to open the meeting to the public was made by Mr. Pallotta and seconded by Mr. Ervin. All voted in favor.

No one wishing to be heard, a motion to close the meeting to the public was made by Mr. Ervin and seconded by Ms. Galow. All voted in favor.

VII. PUBLIC HEARINGS:

1. Docket #620 – Russo Acquisitions LLC

1000 Macarthur Boulevard, Block 135.01, Lot 65

Preliminary and Final Major Site Plan Application with variances, Soil Movement Permit Application, Movement of Soil Exceeds 1,000 cubic yards, to re-develop the parcel for the construction of a 208,345 square foot industrial/warehouse building, including 19,814 feet of office space, off-street parking, loading facilities, trailer storage, ground-mounted mechanical equipment, stormwater management improvements, fencing and retaining walls, landscaping, lighting, and signage.

Mr. Grewal was recused from the Public Hearing.

Mr. Whitaker of McDonnell & Whitaker at 245 E Main Street, Ramsey, NJ approached and stated that he was representing the Applicant. Mr. Whitaker explained that the Applicant is the contract purchaser seeking Preliminary and Final Major Site Plan for an application with

variances. Mr. Whitaker explained that the Applicant's intention is to re-develop the parcel for the construction of a 208,345 square foot industrial/warehouse building, including 19,814 feet of office space.

Mr. Scandariato indicated that notice for the Public Hearing was in order.

Mr. Whitaker presented an overview of the application, emphasizing that the amount of Open Space would increase through the proposed redevelopment. Mr. Whitaker stated that the Applicant was willing to reduce the height of the parapet to meet the zoning requirements. Mr. Whitaker also indicated that the Applicant would make the appropriate contribution to the Township sidewalk fund in lieu of installing sidewalks.

Mr. Michael Pembroke of Russo Development at 570 Commerce Blvd., Carlstadt, NJ was sworn in, provided his credentials as the Chief Operating Office and Principal of the Company and was accepted by the Board as an Expert in Warehouse Development and Operations.

Mr. Pembroke testified that the proposed warehouse was intended for Flex Warehouse use that would not have a high throughput of truck traffic. Mr. Pembroke discussed what previous developments of this kind have included. Mr. Pembroke reviewed what type of tenants the warehouse was intended for and noted that no manufacturing would take place in the proposed warehouse.

Mr. Pembroke discussed the typical parking needs for the proposed warehouse and testified that the proposed parking would be sufficient for the intended type of tenant use.

Mr. Pembroke testified that the warehouse would not be a food distribution center but that the product would be a dry good. Mr. Pembroke discussed some of the proposed architectural design features.

In response to Mr. Kelly's questioning, Mr. Pembroke testified to the daily operations, indicating that they would be operational 7 days a week for 24 hours a day. Mr. Pembroke explained that truck traffic for a flex industrial warehouse would be spread out during the day, reducing the trips at peak traffic times. Mr. Pembroke discussed proposed employee schedules but indicated that it would depend on the ultimate tenant. Mr. Pembroke discussed the possible use of the truck storage parking spaces as employee parking spaces if they were needed.

Mr. Kelly discussed the Tenant Application process and that monitoring of the parking space usage and needs could be monitored through this process. Mr. Kelly indicated that the a proposed tenant would need to specify the proposed hours of operations, the truck delivery schedule, the number of employees and anticipated shift schedules.

The Applicant agreed that truck idling would not be permitted.

In response to Mr. Dickerson's questioning, Mr. Pembroke testified that no retail operations would take place and that trucks would not remain for more than a week. There was discussion about the placement of the trash enclosures.

Board Members discussed concerns regarding the truck noise at night and the weight limit on Ridge Road.

A motion to open the meeting to the public was made by Mr. Ervin and seconded by Mr. Lo Iacono. All voted in favor.

No one wishing to be heard, a motion to close the meeting to the public was made by Mr. Ervin and seconded by Mr. Goldstein. All voted in favor.

Mr. Benjamin Crowder P.E., LEED A of Bohler Engineering NJ, LLC at 30 Independence Boulevard, Warren NJ, proved was sworn in, provided his credentials as the Civil Engineer and was accepted by the Board as an Expert in Civil Engineering.

Mr. Crowder testified that he has been to the site and was a part of the team who created the site plans. Mr. Crowder displayed Exhibit #26 – Aerial Display of the Site. (Please see the attached Exhibit Document appended to these minutes for the full list of Exhibits.) Mr. Crowder reviewed the existing conditions and nonconformities. Mr. Crowder displayed Exhibit #27 – Overall Site Layout Plan. Using this plan, Mr. Crowder reviewed the various design waivers, the proposed signage and the volumes of soil and materials being moved as part of the Soil Movement Permit Application. Mr. Crowder discussed the 8,000 square foot increase in Open Space that would result from this redevelopment. There was discussion about the 360-foot distance between the loading docks and neighboring residential areas. The proposed 75-foot buffer area between these areas was also discussed.

Mr. Kelly reviewed various items as listed in his letter of July 30, 2021. There was discussion about height calculations and the average grade. The Applicant agreed to provide the requested height calculations. Mr. Kelly recommended that the Applicant contribute the Township's Tree fund and the Applicant agreed. There was discussion about the parapet height and interpretation of the Township regulations. Mr. Kelly indicated that a variance would be required. Mr. Kelly discussed the deficiencies of the 500-foot drainage map that was submitted and indicated that a waiver would be required if not provided. Mr. Kelly discussed why he was not opposed to granting the waiver, if requested. Mr. Crowder indicated that he would demonstrate that the landscaping requirements would be met. Mr. Kelly discussed various items from his report that would be included as conditions of approval such as ADA compliance requirements and Fire Lane Markings. The Applicant indicated that they would comply with all the requests of the Township Fire Official listed in Mr. Roe's review report of July 23, 2021. Mr. Kelly discussed required details be added to the demotion plan. Mr. Crowder reviewed the easements on the property.

Mr. Crowder displayed Exhibit #4 – Alternate Parking Plan. Mr. Crowder reviewed the alternative parking plans that could be used if additional parking spaces were needed. Mr. Kelly agreed that parking seemed sufficient for the proposed use. Mr. Kelly suggested that if the use or operation of the site is changed, additional or alternative parking plans would have to be reviewed with the Planning Board.

Mr. Kelly reviewed the Soil Movement Permit Application indicating that the application needed to be updated to include the volume of stone to be imported to the site.

Mr. Kelly indicated that the Stormwater Management review was still in process and that the Applicant's methods were in accordance with industry standards. Mr. Kelly indicated that there were items that were technical in nature that would be reviewed directly with the Applicant. Mr. Kelly recommended a condition of approval that the Applicant complete suggested changes to lighting as requested by the Township for a period of 6 months. The Applicant agreed.

There was discussion about the screening of headlights from the residential areas. Mr. Kelly requested screening of the proposed truck storage area. Mr. Crowder agreed and discussed similar NJ Highland Council conditions regarding screening and buffer areas. There was additional discussion regarding the tree replacement caliper.

Mr. Dickerson referred to his review report dated July 26, 2021. Mr. Dickerson discussed the unusual size of the site and the calculation of the lot size depth and buffer sizes, indicating that setback variances may be needed dependent on the interpretation. Mr. Crowder reviewed the proposed calculations.

Mr. Dickerson reviewed the lighting variances and indicated that directional signage needs to be submitted. The EIS and buffer plantings waiver were discussed. There was discussion regarding the trash enclosure screening. Mr. Crowder testified that the Applicant would comply with all the items specified within the landscape lighting comments in Mr. Dickerson's letter dated July 26, 2021.

In response to Mr. Donigians's questions, Mr. Crowder reviewed the drainage system. Mr. Crowder agreed to investigate Mr. Donigians's suggestion to recover gray water in order to reduce the usage of Township water. Mr. Kelly agreed that this would be a good time to consider and review any areas on Macarthur Boulevard that experience drainage issues.

A motion to open the meeting to the public was made by Mr. Donigian and seconded by Ms. Galow. All voted in favor.

Ms. Megan Charles of 10 Skytop Drive discussed concerns about the proposed use of water. Mr. Kelly indicated that the proposed water use would be less intense than the current usage. Ms. Charles asked questions about site lines at the site entrance. It was indicated that the Traffic Expert would testify subsequently. Ms. Charles asked about the buffer between the trailer loading area and Macarthur Boulevard. Mr. Crowder reviewed the existing buffer and how that would be supplemented.

A motion to close the meeting to the public was made by Mr. Lo Iacono and seconded by Ms. Galow. All voted in favor.

Mr. Brian Taylor of 95 Watchung Avenue in North Plainfield NJ was sworn in, provided his credentials as the Architect and was accepted by the Board as an Expert in Architecture.

Mr. Taylor displayed Exhibit #2 – Proposed Floor Plan – CSP-10 and reviewed the proposed floor plans. Mr. Taylor displayed Exhibit #2 –A3 - Elevations and discussed the wall length and building heights. There was additional discussion about the parapet height. Mr. Taylor displayed Exhibit #25 – Building Renderings - A1.1 and A1.2 discussing the proposed building exterior. Mr. Taylor displayed Exhibit #25 - Existing Conditions View A1.3 depicting the existing vegetation, wall length and building heights.

In response to Mr. Kelly's questioning, there was additional discussion regarding the parapet height clarifying the interpretation of the requirements. The Applicant agreed that tenants would provide detailed floor plans as part of the Tenant Application Process.

Mr. Dickerson questioned the changes to the Architectural plans and Mr. Taylor reviewed them.

Board Members questioned if the use of solar panels was considered. Mr. Pembroke indicated that the roof would be designed to accommodate the load for solar and that the possible use would be defined specific to the tenant.

A motion to open the meeting to the public was made by Mr. Donigian and seconded by Mr. Ervin. All voted in favor.

No one wishing to be heard, a motion to close the meeting to the public was made by Mr. Lo Iacono and seconded by Ms. Galow. All voted in favor.

Mr. John Harter of Atlantic Traffic located at 30 Independence Boulevard, Warren NJ provided his credentials as the Engineer in Traffic and was accepted by the Board as a Traffic Engineering Expert. Mr. Harter indicated that he created Exhibit #17 - Traffic Impact Analysis Report dated May 27, 2021. Mr. Harter testified that the proposed site would meet the AASHTO traffic standards. Mr. Harter reviewed why they chose the location for the proposed Macarthur Boulevard entry/exit. He testified that the proposed volume did not justify the installation of a traffic light. Mr. Harter discussed the proposed intersection's aspects of site lines, driveway design and WB67 truck turning radius. Mr. Harter discussed the concerns listed in the Police Department review. Mr. Harter displayed Exhibit #1 – Preliminary and Final Site Plan – Sheet T-01. Mr. Harter reviewed the site lines and truck radius on the plan depiction. Mr. Harter discussed why the proposed exit would take two lanes and the impact on the vegetation buffer if a one lane exit was used. Mr. Harter indicated that the Applicant would be meeting with the Police Department to discuss and address their concerns. Mr. Harter discussed why this proposed approach was preferable as long as proper site lines were provided.

Mr. Harter reviewed the peak hours and traffic counts. Mr. Harter explained that the counts were adjusted by looking at historic DOT data to account for lower traffic counts due to the covid environment. Mr. Harter testified that the estimated peak hour traffic would be less intensive than what is currently on the site. Mr. Harter testified regarding the proposed parking requirements. Mr. Harter reviewed the traffic analysis in the area and discussed possible areas

of improvement that were identified in this study. Mr. Harter testified that the proposed use would be 1.5% of the traffic in this area.

Mr. Harter read the Police Department review letter of July 19, 2021 and testified regarding the letter's comments and concerns. Mr. Harter indicated that all items would be discussed in the meeting with the Police Department.

Mr. Whitaker reiterated that the Applicant would meet with the Police Department indicating that he thought many of the concerns would be enforcement issues. Mr. Whitaker referred to a Land Use case where it was determined that uses permitted within the zone should be approved as surrounding roadways are zoned for that use's traffic. Mr. Scandariato indicated that safe access was also required.

Mr. Kelly indicated that he would attend the meeting with the Police Department.

Mr. Dickerson referenced his July 26, 2021 letter, questioning the exiting truck radius; the need for an acceleration/deceleration lane and the approval of the Macarthur Boulevard road modifications.

Ms. Galow questioned if traffic was allowed to exit to the left on Macarthur Boulevard. Mr. Harter testified that trucks could only turn right on the Macarthur Boulevard exit. There was additional conversation concerning adjustments to the estimated truck traffic counts. Mr. Harter indicated that the ITE generated peak times would be at 4 a.m. (2 trucks in and out) and at 6 a.m. (3 in and 3 out). There was further discussion about the possible use of a traffic light at the proposed entrance/exit on Macarthur.

Mr. Harter testified that passenger cars would be allowed to make a left-hand turn onto Macarthur Boulevard. Mr. Crean indicated that trucks would turn left if they possibly could. There was further discussion of traffic and if trucks could enter making a right-hand turn from Macarthur Boulevard into the facility. Mr. Harter indicated that it was not designed that way. Mr. Whitaker indicated that the Applicant would look into the design of this area further.

A motion to open the meeting to the public was made by Ms. Galow and seconded by Mr. Ervin. All voted in favor.

Mr. Richard Wolf, the Chairman of the Township Environmental Commission, of 6 Stonewall Court asked if consideration was given to the school traffic. Mr. Harter discussed how the traffic counts were adjusted with historical data to include the school traffic.

Ms. Megan Charles of 10 Skytop Drive asked about the intersection where trucks are entering and exiting onto Macarthur Boulevard. There was further discussion regarding the use of a traffic light at this intersection.

A motion to close the meeting to the public was made by Mr. Pallotta and seconded by Mr. Goldstein. All voted in favor.

It was announced that the Public Hearing would be continued at the August 23, 2021 Planning Board meeting.

VIII. WORK SESSION:

A) NEW BUSINESS: None

B) OLD BUSINESS: In response to Board Members questions, the Planning Board Secretary indicated that an email would be sent outlining the process to request identification badges.

C) COMMITTEE REPORTS: None

IX. ADJOURNMENT:

A motion to adjourn the meeting at 10:58 p.m. was made by Mr. Lo Iacono and seconded by Mr. Goldstein. All voted in favor.

These minutes were prepared by Mary Jo Wood, Planning Board Secretary. The minutes were provided to the Planning Board on September 8, 2021 for approval at the Regular Meeting to be held on September 13, 2021.