

**TOWNSHIP OF MAHWAH PLANNING BOARD
REGULAR /WORK SESSION MEETING MINUTES
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.
MONDAY, AUGUST 14, 2023 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 at the Municipal Building, 475 Corporate Drive, Mahwah, NJ was called to order at 7:30 p.m. by the Planning Board Chairman, 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.

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.

Roll Call:

The following individuals were present:

Mayor Wysocki
Mr. Crean
Mr. Ervin
Mr. Goldstein
Mr. Grewal @ 7:32
Ms. Jankowski
Mr. Lo Iacono
Mr. Montroy
Mr. Olear
Councilman Wong

Professionals: Mark D. Madaio, Esq., Michael J. Kelly, P.E, Nicholas Dickerson, P.P., Darlene Green, P.P. and Geraldine Entrup, A.O.

The following individual was absent:
Ms. Galow

II. APPROVAL OF BILLS:

| | | | |
|--------------------------------|---------|------------------------|----------|
| Collier's Engineering & Design | 7/24/23 | Meeting Attendance | \$200.00 |
| Mark D. Madaio, Esq | 7/24/23 | Meeting Attendance | \$250.00 |
| Mark D. Madaio, Esq | 7/2023 | General and Litigation | \$412.50 |

A motion to approve the above bills was made by Mr. Lo Iacono and seconded by Mr. Ervin. A roll call of members revealed 9 aye votes by Mayor Wysocki, Mr. Crean, Mr. Ervin, Mr. Goldstein, Mr. Lo Iacono, Mr. Montroy, Mr. Olear, Mr. Wong, and Ms. Jankowski.

III. APPROVAL OF MINUTES:

1. July 24, 2023

A motion to approve the above minutes was made by Mr. Ervin and seconded by Ms. Jankowski. A roll call of members revealed 7 aye votes by Mr. Ervin, Mr. Goldstein, Mr. Lo Iacono, Mr. Montroy, Mr. Olear, Mr. Wong and Ms. Jankowski.

IV. RESOLUTIONS FOR MEMORIALIZATION:

1. **Docket #648 – Guido Realty LLC,**
295 State Highway Route 17, Block 63, Lot 10.01, 10.02,
Preliminary and Final Site Plan,
Soil Movement Permit Application (Soil Movement > 1,000 Cubic yards),
Proposed New Automobile Sales Dealership and Auto Service Facility

A motion to adopt the above resolution was made by Mr. Olear and seconded by Mr. Montroy. A roll call of members revealed 7 aye votes by Mr. Ervin, Mr. Goldstein, Mr. Lo Iacono, Mr. Montroy, Mr. Olear, Mr. Wong and Ms. Jankowski.

V. OPEN TO THE PUBLIC – 15 MINUTES:

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

Mr. Grewal joined the meeting at 7:32p.m.

VI. PUBLIC HEARING(S):

1. **Docket #645 – Crossroads Developers Associates LLC and Garden Crossroads LLC dba Crossroads Logistics Center (Adjourned from July 24, 2023).**
1 International Boulevard, Block 26, Lot 2 and Block 183, Lot 1 (including Block 26, Lots 10 and 11)
Preliminary and Final Site Plan and Soil Movement Permit Applications for the Phased Development of warehouse buildings, with Phase I, consisting of Building A at 671,072 square feet and Phase II, consisting of Building B at 1,015,752 square feet.

Mr. James Jaworski of Wells, Jaworski & Liebman LLP at 12 North Route 17, Paramus, NJ, approached stating that he was representing the above Applicant. Mr. Jaworski gave a brief overview of the application for the proposed construction of two warehouses. Mr. Jaworski noted that although the site was located within the MUD-2 Zone, the application was designed to comply with the Overlay Zone defined within Crossroads Redevelopment Plan, pursuant to the ongoing redevelopment process associated with this property.

Mr. Jaworski introduced Ms. Darlene Green of Colliers Engineering and Design. Ms. Green who is the Township’s Planner, was sworn in and reviewed her Affordable Housing Review letter of August 9, 2023. Ms. Green explained that the Township is in the ninth year of working with this project and the Township’s Affordable Housing plan. Ms. Green gave a brief overview of the litigation, rezoning, ordinances, agreements, redevelopment plans, etcetera, that have occurred in recent years of this process. Ms. Green confirmed that the property at 457 Ridge Road was identified as the site for the Affordable Housing requirements related to this application.

Mr. Jaworski continued his introduction of the application introducing Exhibit A-1: Resolution #226-23 from the Governing Body, dated June 5, 2023 which established the Applicant as the Redeveloper. Mr. Jaworski also introduced Exhibit A-2: Consent Order filed July 19, 2023, as executed by Christine A. Farrington, J.S.C. which states that the Planning Board and Applicant can proceed with the Public Hearings regarding this application if the Applicant addresses issues with phasing in the future.

Mr. Jaworski explained that the proposed development does comply with the Redevelopment Plan. He specified that more discussion was needed to determine if the minor deviations called out in the Board Professional’s review reports (see table below) were applicable, indicating that only a waiver for slope was being sought.

| Professional – Report Type | Date of Report | Exhibit |
|---|-----------------------|----------------|
| Mr. Kelly - Engineering Review | 7/14/23 | PB-1 |
| Mr. Dickerson - Planning Review | 7/14/23 | PB-2 |
| Boswell Engineering - Stormwater System Review | 7/20/23 | PB-3 |
| Mr. Kelly - Engineering Review #2 | 8/9/23 | PB-4 |
| Mr. Dickerson - Planning Review #2 | 8/9/23 | PB-5 |
| Ms. Green - Affordable Housing Review Letter #1 | 8/10/23 | PB-6 |

Mr. Jaworski stated that the tenants are unknown at this time and that each building is designed for four tenants.

Mr. Jaworski stated that he expected to receive a Letter Of No Interest from New Jersey Department of Transportation as this application proposed much less traffic than the previously approved application.

Mr. Jaworski introduced Mr. Tony W. Diggin, P.E. of Kimley-Horn and Associates, Inc. at 301 Carnegie Center, Suite 202 Princeton, NJ. Mr. Diggin provided his credentials and was accepted by the Board as an expert in the field of Engineering.

Mr. Diggin identified Exhibit A-3: Preliminary & Final Major Site Plan Set for Proposed Crossroads Logistics Center prepared by Kimley-Horn, dated February 10, 2023 and revised to June 6, 2023 (38 sheets). Mr. Diggin also identified Exhibit A-4: Revised Plan Sheets (10 sheets) of the Preliminary & Final Major Site Plan Set for Proposed Crossroads Logistics Center prepared by Kimley-Horn, revised through July 27, 2023. Mr. Diggin identified and displayed Exhibit A-5: Existing Conditions Aerial Map. Mr. Diggin pointed

out the project parcel and described the surrounding area and existing conditions. Mr. Diggin testified that the proposed development included the demolition of all existing structures. Mr. Diggin noted that drainage flowed to the rear of the property and testified that the wetlands and transition areas, as specified in the New Jersey Department of Environmental Protection (NJDEP) Letter of Interpretation of August 12, 2022, would not be disturbed by this development.

Mr. Diggin then identified and displayed Exhibit A-5A: The Proposed Conditions that were superimposed on to the Existing Conditions Aerial Map. Mr. Diggin pointed out the two buildings describing the square footage and phasing of the project. Mr. Diggin indicated that Building A and its appurtenance will be Phase I, including the detention basin between the buildings.

Mr. Jaworski explained that there are obligations in the redevelopment agreements that specify that the Applicant will not be permitted to build Phase II until such time as certain things occur.

Mr. Diggin reviewed the size of the proposed buildings and discussed the access roads from Orient Boulevard that will have both truck and car traffic. Mr. Diggin identified and displayed Exhibit A-5B: The Overall Site Plan (C4 of Exhibit A-3) superimposed over the Existing Conditions Aerial Map. Mr. Diggin explained the need for a waiver to exceed the depressed curb requirement in order to facilitate truck movement without crossing the center line. Mr. Diggin discussed the truck turning plans which demonstrate the ability to turn on the remaining portions of the site. There was further discussion regarding tandem trucks and the flow of employee traffic and access to the building. Mr. Diggin indicated that the Applicant would work with Mr. Kelly seeking a waiver regarding the proposed employee access points. Mr. Diggin indicated that the requested fire truck circulation would be submitted. Mr. Diggin reviewed the pedestrian circulation and proposed sidewalks. He stated that the Applicant was willing to contribute to the Sidewalk Bank in lieu of building sidewalks that would not be used.

Mr. Diggin indicated that the proposed parking would be decreased to approximately 1,200 parking spaces. Mr. Jaworski noted that Mr. Kelly's review discussed the need for a parking waiver, but the Applicant feels that they have met the requirement and have not requested a waiver. Mr. Jaworski stated that the Applicant will seek the waiver if that is the outcome of further discussion with Mr. Kelly. Mr. Diggin testified regarding the "Make-Ready" Electric Vehicle (EV) and the A.D.A. compliant EV spaces proposed at each building. Mr. Diggin discussed the loading bays proposed.

There was lengthy discussion regarding the requested waiver regarding the trailer parking distance to the fire hydrant. Mr. Jaworski stated that the Applicant would work with the Fire Department and Fire Prevention regarding this waiver and other documented concerns that had been raised by the Fire Prevention and Fire Department Officials.

In response to a review comment, Mr. Diggin discussed the State Code which controls limits on truck idling. Mr. Jaworski suggested that a lease agreement could require a Tenant to agree to operate within the State defined limits. Mr. Jaworski stated that the Applicant

would be agreeable to Mr. Kelly's request for no idling signage on the site in addition to the lease agreement requirement.

Mr. Diggin reviewed the Soil Movement Permit Application. In response to the Planner's comments, Mr. Diggin explained the surface-to-surface quantities included on the plans, and testified that the soil movement was balanced throughout the site. Mr. Diggin testified to the exact quantities to be moved. Mr. Kelly indicated that a Public Hearing is required for the Soil Movement Permit Application as the amount of soil being moved exceeds 1,000 cubic yards. Mr. Jaworski testified that notice of this Public Hearing was published as required.

Mr. Diggin provided testimony regarding the existing and proposed Stormwater Retention Basins. Mr. Diggin testified to the proposed landscaping plan that will meet the recharge requirements. Mr. Diggin explained that the Applicant would be providing additional information to Boswell Engineering in response to Boswell's Stormwater Review.

Mr. Diggin testified that additional engineering certifications would be provided for all retaining walls over 2 feet in height. Mr. Diggin indicated that the Applicant was seeking a waiver on the slope within the Stormwater Retention Basins. Mr. Diggin also discussed the waiver request for some of the details required within the 500-foot map. Mr. Kelly indicated that he was not opposed to the granting of this 500-foot waiver.

Mr. Crean discussed the Fire Prevention comments regarding the road currently used by Emergency Services to access the wooded area near the Ramapo River and use of water from the Ramapo River in fire emergencies. Mr. Jaworski explained that this might not be easily done. Mr. Jaworski suggested that any options available would be further reviewed and discussed with the Fire Prevention Officials.

Mr. Diggin discussed the detailed, proposed lighting within each Phase of the proposed application, indicating that the application meets all lighting requirements. He stated that the tallest light fixture would be thirty feet and that the lighting on the side of the property facing the residential zone would be shielded in addition to the screening provided by the landscaping buffer.

Mr. Kelly suggested a six-month lighting review. Mr. Kelly indicated that he would work with Applicant to meet the Township requirements.

Mr. Diggin indicated that there was no signage included beyond "way finding" signage. Mr. Jaworski indicated that if they could not meet the signage requirements they would be back before the Board for approvals.

Mr. Diggin displayed Exhibit A-3: (sheet C-16 Landscaping Plan) and reviewed the tree removal and replacement plan. Mr. Diggin discussed areas for snow storage areas.

There was additional discussion of the plantings in the Stormwater Basins. The Applicant agreed to provide additional depictions of these.

Mr. Crean discussed the Environmental Commission's concerns on Stormwater Run-off. Mr. Diggin testified that the proposed application would have improved run-off water quality compared to what is existing today. Mr. Jaworski reiterated that the proposed application will be in accordance with Municipal and State requirements.

Mr. Kelly reviewed the Stormwater Management requirements explaining that these were reviewed in Boswell's Stormwater Review letter. Mr. Diggin testified to meeting the various Stormwater Run-off reduction requirements. Mr. Kelly requested testimony from the Applicant regarding how the Protection requirements will be met. Mr. Diggin indicated that these could be addressed as part of the Tenant Approval process and that there would be no hazardous storage on site. Mr. Kelly indicated that the Wellhead Protection requirements should be addressed in more detail as part of the Site Plan review and as part of the Tenancy process. Mr. Diggin suggested that the Applicant provide further testimony regarding the details of the Wellhead Protection requirements at a subsequent hearing.

Mr. Diggin testified that there would be no irrigation. Mr. Kelly explained that a landscaping bond would be submitted by the Applicant to ensure that the native plantings are established during the first two years.

Mr. Jaworski stated that a Highlands Consistency Determination Application would be submitted. There was further discussion on applications submitted with State and County agencies.

Mr. Diggin testified regarding the trash enclosures.

There was lengthy discussion regarding the "Black Bridge." Mr. Jaworski testified that the Applicant was willing to take down the bridge if the Township was able to resolve requirements regarding possible Historical significance of the bridge. Mayor Wysocki questioned who owned the bridge and strongly suggested that the bridge be removed as it is a hazard. After further discussion Mr. Kelly stated that he would contact the Historic Preservation Commission to determine the bridge's Historic significance and research its ownership.

Mr. Crean noted the Applicant's testimony stating that areas of passive recreation were not included in the redevelopment plan and suggested that possible opportunities be explored as there is a great amount of property and Ramapo River access that could be used.

Mr. Kelly reviewed the remaining items in his report discussing the hours of operation, garbage refuse and overnight parking (with a condition prohibiting trucking personnel from sleeping in trailers overnight). Mr. Kelly indicated that he was not opposed to the scale waiver or the plan size waiver. There was discussion of the Environmental Commission's concern regarding run-off directly into the Ramapo River. Mr. Diggin testified that all run-off would be captured and treated prior to discharge into the Ramapo River. Mr. Diggin also agreed to provide the flood hazard elevation of the Ramapo River; and to provide all ADA and Construction Certifications as a Condition of Approval.

Mr. Kelly suggested that the parking requirements be revisited at the next Public Hearing

allowing for further discussion to determine if a variance will be required.

Mr. Diggin agreed that trailers would not be used for the storage of materials and suggested it would be confirmed again at time of tenancy.

Mr. Kelly discussed the need for the following items as noted in his review letter.

- 1) Applicant Testimony on general signage requirements.
- 2) A truck turning plan for refuse pickup.
- 3) Compliance with Water Supply Comments.
- 4) Compliance with planting requirements. (The Applicant indicated that they would comply with the requirements.)
- 5) Compliance with additional landscaping requests. (The Applicant indicated that they would comply with the requirements.)
- 6) Compliance with providing engineering calculations on all walls three feet or higher. (The Applicant indicated that they would comply with the requirements.)
- 7) Provide Testimony on Environmental and or Ground Water Contamination and or remediation on the site. (Applicant indicated they would provide that information at a subsequent hearing or in the form of a report).
- 8) Provide testimony of the removal of the existing building and structures on the site. There was further discussion regarding what a demolition plan might include.
- 9) Testimony regarding the existing Helipad. Mr. Jaworski stated that it is not a part of the application.

Mr. Dickerson reviewed the remaining items from his review letter:

- 1) The shrub size requirement (The Applicant indicated they would comply).
- 2) The deviation needed for the phasing.
- 3) Identification of proposed lot numbers. The Applicant will reach out to the Tax Assessor.
- 4) Estimated number of Employees will be provided at time of Tenancy.
- 5) Building Height – Mr. Jaworski indicated that the Application would comply with the height of 55 feet plus 6 feet of screening for appurtenances.
- 6) Retaining Walls – The Applicant will update plans to include top and bottom measurements.
- 7) Transformers will be more clearly pointed out on the plans.
- 8) Parking Space discrepancies will be cleaned up on the plans.
- 9) Deceleration lane requirements to be discussed.
- 10) Noise estimates to the bordering residential area. (The Applicant testified they would meet the requirements.)
- 11) Details on handrails and bollard mounted signs. (The Applicant indicated they would update the plans)
- 12) Detail on Screen Enclosure. (The Applicant will provide these details.)

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

Mr. Thomas Dillon of 10 Bergen Place in Mahwah approached and asked the Engineer to clarify the distance to the closest house as he felt his home was closer than 600 feet as

testified. Mr. Jaworski clarified that residents within 200 feet of the property line would have been provided notice. Mr. Jaworski clarified that the distance from the building to the nearest residential properties would be much greater than that. Mr. Jaworski offered to get the exact distance to Mr. Dillon's property at a subsequent meeting.

Mr. Dillon asked if adequate provisions were being taken to limit the lighting into the residential properties. Mr. Diggan reviewed all the measures and landscaping buffers that would decrease the amount of lighting that would reach the residential properties.

Mr. Dillon asked if the conditions resulting from truck parking were considered. Mr. Diggan indicated this would be Tenant specific. Enforcement of truck idling regulations was discussed.

Mr. Max Pavon of 208 Highland Road in Mahwah approached and asked the Engineer about permitted idling. There was further discussion of the State code regulating this. Mr. Pavon asked if there were any plans on development in a certain area of the site. Mr. Jaworski indicated that no development in that area was proposed.

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

Mr. Madaio discussed other requirements regarding the Affordable Housing Settlement Agreement.

The Public Hearing was carried to the September 11, 2023.

VII. WORK SESSION:

- A) NEW BUSINESS: None to Present
- B) OLD BUSINESS: None to Present
- C) COMMITTEE REPORTS: None to Present

VIII. ADJOURNMENT:

A motion to adjourn the meeting at 10:18 p.m. was made by Mr. Olear and seconded by Ms. Jankowski. All voted in favor.

These minutes were prepared by Mary Jo Wood, Planning Board Recording Secretary. The minutes were provided to the Planning Board on September 7, 2023 for approval at the Regular Meeting to be held on September 11, 2023.