

## **BOROUGH OF ALPHA LAND USE BOARD -**

March 17, 2021, Regular Meeting

Municipal Building 1001 East Blvd., Alpha, New Jersey

The regular meeting of the Borough of Alpha Land Use Board was called to order at 7:00 p.m., by Chairman Fey.

### NOTICE

Pursuant to the Open Public Meeting Act, Chapter 231, P.L. 1975, adequate notice of this meeting has been provided by mail to the Star Ledger and the Hunterdon County Democrat; a notice of this meeting and all other regular meeting of the Land Use Board of the Borough of Alpha, which notice sets forth the time, date, and location of this meeting by posting said notice on the bulletin board outside the municipal clerk's office.

### Roll Call:

Present: Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, Mr. Fritts, Mr. Schwar. Absent: Mr. Cartabona, Mr. Gable and Mr. Plimpton.

Also, present; Steven Gruenberg, Planning Board Attorney; Stan Schrek, Planning Board Engineer; Attorney Edleston representing 1603 Springtown, LLC, and Attorney Selvaggi representing Standard Street, Alpha Property, LLC.

### Approval of Minutes:

Motion made by Mr. Schwar to approve the January 20, 2021, reorganization meeting minutes. Motion seconded by Mayor Dunwell. All were in favor.

Motion made by Mayor Dunwell to lay on the table the January 20, 2021 regular meeting minutes.

Mr. Cartabona arrived at 7:08 p.m.

### Completeness:

1603 Springtown, LLC  
Application #2020-01, Block 97 Lot 10  
Application for preliminary and final major site plan and variance relief.

At this time Attorney Edleston became disconnected from the Zoom meeting.

In Attorney Edleston's absence, Engineer Stan Schrek started by saying this application will provide for some office space and some commercial tenant space on a two story, 6000 square foot building. Mr. Schrek started by reviewing his letter of March 15, 2021. Reviewing the check list, he stated that the project will be single staged versus over multiple years. The tax collector has certified that the taxes were paid, and disclosure of ownership was completed. The applicant is asking for temporary waiver for submission to County Planning Board for review. Mr. Schrek recommends that that temporary waiver be granted. There is also a temporary waiver for certification from the County Board of Health and Borough of Alpha that there is adequate type of sewage disposal and water supply. He also recommends that the board also grant that waiver. They are also asking for temporary waiver for the certification from the proper agencies that there is proper supply, also known as 'Will Serve' letters. The engineer is also recommending that we grant that waiver.

Under the preliminary site plan check list waivers are requested for an environmental impact statement since this property has been fully developed. It is the engineer's recommendation that the board grant that waiver.

Under file submission check list, there is a temporary waiver for the estimate for site improvement cost items will be submitted so in the future we can determine what the bond and escrow amounts will be. The recommendation is that this temporary waiver also be granted.

The applicant is also asking for a waiver for letters provided by the utility companies. This waiver is also recommended by the engineer.

At this time Attorney Edleston rejoined the meeting.

Mr. Schrek continued reviewing the remaining items on the application. Regarding the number of units and tenants; that is incomplete with the application and the recommendation is to grant a temporary waiver to hear what the applicant is proposing during testimony. A waiver is also recommended for a complete list of site improvements except principal and accessory building and quantities thereof to be constructed.

In total, Mr. Schrek recommended all the temporary waivers be granted as well as a permanent waiver for the environmental impact statement and recommended that the board deem the application complete and schedule a public hearing.

Regarding the permanent waiver of the environmental impact statement, Mr. Cartabona had some concerns about that. Mr. Schrek directed him to a letter he sent on March 15, 2021, where he had some questions that should be addressed when we get to testimony.

Motion made by Mr. Schwar to deem application #2020-001 complete with the temporary waivers and permanent waiver as described earlier by Mr. Schrek. Motion seconded by Mr. Plimpton. Roll Call: Ayes: Mr. Cartabona, Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, Mr. Fritts, Mr. Plimpton, and Mr. Schwar. Nays: None. Absent: Mr. Gable.

A public hearing will be scheduled for the April 21, 2021, meeting.

Public Hearing:

Standard Street Alpha Property, LLC  
Application #2019-05, Block 98, Lot 1  
Application amended for preliminary and final site plan with variance relief.

Chairman Fey introduced Mr. Selvaggi on behalf of the applicant. Mr. Selvaggi gave a brief overview of where this application started and where we are today. The approval had conditions, including the extension of Industrial Drive to provide access to Rt. 122 and Rt. 22, solar roof top panels and a few bulk variances. Since then, the Governing Body amended an ordinance increasing the height of the commercial buildings in this area. Responsive to that, the applicant has revised their plans to take advantage of this new building height. Nothing else is changing. They would like to have approval for the amendment of the preliminary tonight. They are looking to then have final approval at the April meeting. There was approval for the previous buildings with the solar panels and they are hoping that no further approvals will be needed with the new building height. Attorney Greunberg stated that this is a jurisdiction issue, and since they are changing the height of the building, would that change anything with respect to the conditional use standards that would require relief since it is an amended plan. Mr. Schrek referenced Ordinance 2020-15 regarding this issue and if the board agrees with this, then we may proceed. He believes we are ok with letting them proceed. The proof of service and publication have been reviewed and the Board has jurisdiction and can proceed.

Mr. Dragotta asked for clarification from Attorney Gruenberg on the building height discussion.

Christopher Nusser was sworn in by Attorney Gruenberg at this time. He presented his qualifications.

Mr. Selvaggi confirmed that Mr. Nusser had worked on the original plans submitted in 2019, and he had Mr. Nusser review the plans that were proposed last year along with the modifications for this year. Mr. Nusser displayed the aerial plan of the site, which is also posted on the Borough website. Other than the building height, they have made some changes to the road network. Access to building one is now revised to have all the truck traffic flowing in from one location and then in between the buildings into a one-way entrance. The entrance has also been slightly revised to line up the exit for the trucks to be more direct. This should provide for a better circulation of traffic. The stormwater was previously located below building number one and that has been relocated to the loading area. There are also some modifications to the landscaping on the north side of building two and the entrance. There are also two additional parking spaces.

Mr. Selvaggi asked Chris if the bulk variances have changed in any way because of these modifications. Chris stated that they do not, technically, with one exception, which is maximum lot coverage. It was approved in the resolution at 35.60% and the actual is 35.63% because of a rounding error.

Mr. Selvaggi referenced the letter from our engineer dated March 15, 2021 and asked Mr. Nusser if any of those items on the check list have changed. Mr. Nusser stated no. Also, referring to page nine in Mr. Schreck's letter, Mr. Selvaggi also asked if anything there has been changed. There are no changes other than the lot coverage referenced earlier. Also referencing the technical review by our engineer, Mr. Selvaggi asked Chris to run through the questions that the engineer has raised. Chris stated that NJTransit is willing to grant a grade crossing over the railroad track into the site to give access to the buildings. Chris also stated that NJTransit is requiring a secondary point of access in the event of an emergency. NJTransit is agreeable to this approach.

Attorney Gruenberg said that thinking ahead to final site plan approval, the Board needs to see this agreement from NJTransit in place before final can be granted. Stan agreed we would

need this for final. Mr. Nusser stated that he did not think it was necessary to have an agreement in place prior to final approval.

Chris went point-by-point through Mr. Schreck's review:

## VI. *Technical Review*

### 1. *NJ Transit Review letter*

- a. *Per NJ Transit comment 4, the site is required to have a 2<sup>nd</sup> entrance to the site, which per a clarification email provided by NJ Transit is for purposes should the NJ Transit crossing close due to extended NJ Transit activities. The applicant proposes a grasspaver driveway for emergency access, however if there is blockage or extended closure traffic would result using roads that were not intended for trucks or vehicles to exit the site, but intentionally meant for only emergency access. Currently the rail line is not active, the board should consider the developer securing a banked 2<sup>nd</sup> easement access that, should the rail line be activated, cars and trucks could access Springtown Road, further consideration could be made to make this the grasspaver emergency access and avoid using Seventh Street access.*
- b. *Alternations to the at grade rail crossing that limit access to the site may require future amended applications to the board as this is the sole access to the site. They understand that any alterations to the grade rail crossing would change access to the site and would require an amended application.*
- c. *Applicant shall provide written letter that NJ Transit will allow for construction of proposed improvements as their comment no. 2 appears restrict excavation. The applicant agrees and knows they need to obtain the final approval agreement from NJTransit.*
- d. *It is recommended that the Board make a condition of Approval that the applicant must obtain approval from NJ Transit before construction and such agreement is reviewed for impacts to any board approval. The applicant agrees and knows they need to obtain the final approval agreement from NJTransit.*
- e. *The Borough will need to address long term maintenance and operation and payment to NJTransit for the land or access to crossing of the at grade crossing to address comments related to long term maintenance and repairs. Applicant agrees to clarify.*

f: Applicant shall provide clarification of NJ Transit No. 9 in writing. Mr. Nusser will get clarification on exactly what they require.

g. *Rail crossing should have installed crossing barriers should rail be activated. They understand that they will require NJ Transit approval of it in the unlikely event that the line is activated in the future.*

h. *Applicant shall provide pedestrian access and provisions should rail line become activated. Their position is the same as in ‘g’ above.*

i. *Applicant shall provide testimony any federal or state permits that may be required for rail crossing. There are none.*

j. *Applicant shall provide testimony on impact of NJ Transit letter on their design and Industrial Drive extension. Applicant agrees.*

k. *Applicant will be responsible to address costs associated with revision to Industrial Drive Roadway extension to address NJ Transits letter and agreement. These concerns can be addressed in the developer’s agreement.*

Chairman Fey asked if the applicant is building the entire road to Industrial Drive. Mayor Dunwell stated this is correct, contingent upon an executed developer’s agreement.

#### Site Plan Set Review

- a. *Cover Sheet – Outside agency approvals such as NJDOT, NJ Transit, Highlands and any other agency that takes interest in the project shall be added to the plan. Applicant agrees.*
- b. *Boundary and Topographic Survey – shall provide signed and sealed copy of the reference survey prepared by Maser Consulting. They are satisfied that their survey is accurate, and it will not need to be provided.*
- c. *Boundary and Topographic Survey – shall submit all referenced deeds and/or easements. Applicant agrees.*
- d. *Site Plan – Applicant shall extend Seventh Avenue to the terminus point to the Borough Public Right of Way; the Roadway shall be extended to conform to Borough of Alpha road standards to be established by the Borough Engineer. It is suggested that a Developers Agreement be entered that would establish requirements and fair share contributions required for necessary off-tract improvements. Applicant agrees.*

- e. *Site Plan – Applicant shall coordinate with Borough to determine emergency access devices to limit traffic. Details of emergency access devices shall be provided, and input shall be obtained from police and fire. There are no objections to this. Applicant agrees.*
- f. *Site Plan – prior to construction of guiderails applicant shall provide detailed plans that specify length of end treatment and areas that require additional posts or embedment. Applicant agrees.*
- g. *Site Plan – prior to construction of guiderails applicant shall provide engineer's report that reviews the warrants for each guiderail location. Applicant agrees.*

*Mayor Dunwell suggested signage regarding guiderails to avoid possible injury for anyone who may try to ride dirt bikes on the railroad right-of-way. Applicant has no issue with adding signage regarding f & g.*

- h. *Site Plan – Retaining walls shall be designed by a NJ PE and include cross sections and stability calculations prior to construction. Several wall areas appear that soil reinforcement may be installed that may conflict proposed improvements or extend beyond property limits. Applicant shall specify preliminary anticipated limits of soil reinforcement needed. Applicant is responsible to obtain any necessary easements to construct improvements. Applicant agrees.*
- i. *Site Plan – Applicant shall depict location of water main extension easement on site plans. Applicant Agrees.*
- j. *Site Plan – Applicant shall revise future driveway easement to Block 96.10 Lots 5.01-5.22, 5.93, the driveway easement shall not overlap with the circulation for trucks loading dock access. The proposed arrangement will pose hardships in terms of traffic control and driveway turning movements. Applicant shall provide testimony on the layout and future operations of the intersection and intent of access easement (emergency only or unrestricted access easement). The plans appear to have potential for sight triangle distances and driver perception for intersection right of way. The discussion should also address if such crossing location was approved by the railroad operator, it appears consideration would be needed at the intersection in the future for railroad crossing signs and notifications and cross bars that may need additional sight distance an alignment that will not be able to address after building no. 1 and no. 2 is constructed. This is not a crossing the applicant would seek as it is not for their access. They will remove this from the site.*

Mr. Selvaggi stated the applicant has no issues with the remainder of the items listed which includes 'k' – 'll'

*Mr. Nusser would like to discuss 'dd'.*

- k. *Site Plan – Parking Schedule shall be revised to indicate 463 total proposed passenger vehicle spaces instead of 464 and 578 total proposed spaces instead of 579.*
- l. *Site Plan – Roadway stationing shall be provided to correspond to roadway profile.*

- m. *Site Plan – Applicant shall provide paved access for emergency vehicles around all sides of building number 1 and number 2. Such access shall not be obstructed by parked vehicles or structures.*
- n. *Stormwater Management Plan – plan shall be revised to address additional runoff reductions required to be address as part of industrial drive extensions.*
- o. *Stormwater Management Plan – pipe run D-7 to headwall D-1 shall be revised to reduce disturbance as there is insufficient area to construct portions of pipe run without encroaching to NJDOT Property and no easement provided, further the pipe run volume is not reduced or include water quality improvements. Portions of this drainage area are from areas to be disturbed by the site and offsite, as such are required to be addressed.*
- p. *Stormwater Management Plan – portions of pipe runs will require additional backfill over pipe during construction, Applicant shall provide construction note to advise contractor on minimum cover required before construction loads can be driven over pipe, as asphalt will likely not be installed prior to construction loads over pipe. Structural Fill Materials and Compaction Testing Note #8 which directs the contractor to follow manufacturer’s recommendations for pipe and basin cover prior to placing construction equipment over does not suffice. Actual minimum cover depth for each pipe shall be noted.*
- q. *Stormwater Management Plan – all inlets shall have filter devices installed and truck loading areas shall have oil absorbent socks installed as part of the filter.*
- r. *Stormwater Management Plan – Proposed Detention Basin SWM-3 is labeled SWM-2B and should be revised to indicate SWM-3.*
- s. *Stormwater Management Plan – The invert out of OCS C-6 should be revised to 300.00 to be consistent with the Stormwater Management Report and to be at the orifice elevation.*
- t. *Stormwater Management Plan – The size and elevation of all outlet controls for OCS B-4 and C-6 shall be consistent between the plan, Outlet Structure Detail and Pond Reports in the Stormwater Management Report.*
- u. *Stormwater Management Plan – The invert out of proposed E-Inlet D-7 shall be consistent between the plan and Pond Report No. 8 in the Stormwater Management Report.*
- v. *Stormwater Management Plan – The Outlet Structure for SWM-2A shall be shown on the plan and the label shall include the elevations for the rim, weirs, orifice and invert out.*
- w. *Stormwater Management Plan – The downstream invert elevations of all pipes entering SWM-2A shall be added to the plan.*
- x. *Stormwater Management Plan – The upstream and downstream invert elevations of the 16 LF 24” HDPE exiting WQS-2 shall be added to the plan.*



- y. *Stormwater Management Plan – Inlet A-77 shall be revised so that the invert elevation out is lower than the invert elevation in.*
- z. *Stormwater Management Plan – The HDPE between Inlets A-65 and A-66 shall be increased in diameter to be equal to or greater than the diameter of the upstream pipe. Currently, the diameter is 15” while the diameter of the upstream pipe is 15”.*
- aa. *Stormwater Management Plan – The length, size, type and slope of the pipe between Manholes C4 and C-3 shall be added to the plan.*
- bb. *Stormwater Management Plan – The scale of Inset A shall be noted as 1” = 50’.*
- cc. *Stormwater Management Plan – Detention basins and a drainage swale are proposed in Karst underlying areas without the required mitigation measures. Mitigation measures in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey: Investigation, Design and Remedial Measures for Areas Underlain by Cavernous Limestone shall be provided.*
- dd. *Applicant shall provide testimony to address the impact of the basin overtopping and impacting residents down slope of basins. They are reducing the stormwater coming to the area by converting the row crop to a lawn condition. This will have a substantial reduction on any runoff. This is accepted testimony.*
- ee. *Utilities – Water service lines shall comply with §403-23 as such the plan does not indicate type or size.*
- ff. *Utilities – Water Main extension to service the site shall be done in conformance of §403-29 and cost of extension shall be borne by applicant. It shall be noted in the resolution that the cost is not to be borne by the Borough or Borough Water Authority.*
- gg. *Profiles – Profiles shall be provided for all proposed sanitary sewers including the proposed force main and for all proposed storm sewers and basins.*
- hh. *Profiled – Roadway Profile – the 18” HDPE between Inlets A-81 and A-79 shall be added to the profile.*
- ii. *Profiles – Seventh Ave Sanitary Profile – shall label invert of 15” HDPE pipe crossing and clearance between stormwater pipe and sanitary sewer pipe.*
- jj. *Profiles – Seventh Ave Sanitary Profile – Manhole diameters shall be labeled on each profile.*
- kk. *Profiles – Seventh Ave Sanitary Profile – inside drop structures shall be noted, all inverts more than 2’ from invert out shall include an inside drop.*
- ll. *Landscape Plan – all open lawn areas and slopes not adjacent to parking are building shall be reforested planted with varying height plantings to establish habitat areas.*

- mm. Landscape Plan - shall include note that the Borough of Alpha reserves the right to require additional landscaping, screening including berm or fencing prior to issuance of certificate occupancy and throughout the construction process. This was discussed and agreed to in the prior hearing.*
- nn. Landscape Plan – shall be revised to include onsite buffering and screening to shield buildings along the railroad right of way, the proposed plan relies on offsite landscaping to screen properties from future residential development and existing adjacent recreation/educational uses. The applicant feels as though any additional landscaping on the slope would not provide any benefit but can provide additional landscaping toward the middle area if necessary.*
- oo. Landscape Plan –the building is at an elevation of **311'** for finished floor where the residential district exists at about elevation 285', thus the buildings will stand **69** feet above the homes. Applicant shall provide testimony as to the impact of view shed and transition proposed plantings will provide at time of planting and until they are mature. Additional comments on plant spacing, plant material and minimum planting heights will be provided after applicant provides testimony. Mr. Nusser provided an exhibit that was presented at the last hearing to further explain and stated that the building does comply with the height and is further from the property line than is required by ordinance and that the trees described within the plan will provide the appropriate buffering.*

Mr. Selvaggi stated the applicant has no issues with the remainder of the items listed which includes 'pp' – 'ccc'. Mr. Nusser agreed.

- pp. Lighting Plan – Applicant shall screen fixtures from residential areas, so the light fixtures are not visible from residential properties. Applicant may have to reduce fixture height to achieve.*
- qq. Lighting Plan – Applicant shall revise lighting table to provide separate lighting levels for sidewalks and intersections.*
- rr. Soil Erosion and Sediment Control Details – shall include detail for sediment basin including summary of supporting calculations.*
- ss. Construction Details – revised concrete to be minimum 4,500 PSI air entrained for all concrete onsite. Concrete curbs and sidewalks shall be sealed at time of installation.*
- tt. Construction Details – HDPE Trench Detail indicate minimum pipe bedding of 4" thick bedding material.*
- uu. Construction Details – A detail shall be provided for each type of pipe or conduit proposed on site.*
- vv. Construction Details – A detail for all utility pipe crossings and minimum separation for pipes shall be provided and a detail for when separation is not achieved.*

- ww. Construction Details – Applicant shall revise thrust block details to indicate conditions when thrust blocks shall be provided.*
- xx. Construction Details – All water carrying pipes shall include water tight connections at both structure and pipe joints.*
- yy. Construction Details – Outlet Structure Detail Table should be revised to indicate 15” for the size of the outlet for B-4 to be consistent with the and Stormwater Management Plans and Report. 18” is currently indicated.*
- zz. Construction Details – Outlet Control Detail shall be revised so that the size and elevation of each outlet control of OCS B-4 and C-6 is consistent with the Stormwater Management Plan and Pond Reports in the Stormwater Management Report.*
- aaa. Construction Details – Provide details for the proposed swale and all proposed detention basins in accordance with the NJDEP BMP Manual and the Standards for Soil Erosion and Sediment Control in New Jersey in relation to Karst Topography.*
- bbb. Construction Details – The manufactured treatment device detail should specify an Up-Flo Filter Extended Maintenance Cartridge (EMC) as indicated in the Stormwater Management Report.*
- ccc. Construction Details – A detail for the Downstream Defender by Hydro manufactured treatment device, indicated in the Stormwater Management Report, shall be provided.*

The applicant does not take exception to any of the items listed below, for the Industrial Road Connection Plan and updates will be made as discussed prior.

### *3. Industrial Road Connection Plan*

- a. The plan that was submitted during preliminary site plan approval should be submitted and revised per the comments below.*
- b. Applicant shall be responsible to resurface Industrial Drive curb to curb should the Borough install asphalt surface course and the contractor excavates within the roadway for the duration of excavations completed by the applicant or utility extensions to service the site.*
- c. Applicant shall revise plan to include north arrow.*
- d. Applicant shall revise plan to make roadway name labels clear to read.*

The applicant does not take exception to any of the items listed below, for the Stormwater Management Report.

### *4. Stormwater Management Report*

- a. *Additional comments will be provided based on revisions requested in this review that could impact site layout and basin locations.*
- b. *Section 1.2 shall be revised to acknowledge Borough Stormwater Code section §340.*
- c. *Section 2.3 shall reference the geotechnical report to support Karst conditions and shall reference stormwater regulation conditions that would enable eliminating recharge based on karst conditions. In addition, the geotechnical report shall be provided.*
- d. *Storm Sewer Sizing Calculations should be revised to include gutter spread for all inlets to demonstrate that runoff spread would not result in a travel lane of less than 8' wide for all inlets.*
- e. *Applicant shall complete and submit NJDEP low impact development checklist.*
- f. *Applicant shall revise report to provide NJDEP certification for all MTDs.*
- g. *Applicant shall revise report to demonstrate points of site discharge have capacity to support proposed stormwater runoff rates.*
- h. *Applicant shall revise report to indicate sub watershed size and location of the site within the watershed.*
- i. *Borough of Alpha code requires the size of the nearest culvert or bridge downstream of the discharge area, and profiles of cross sections of the stream channel upstream of that structure if within 500 feet of the tract.*
- j. *Borough of Alpha code requires a schedule of the sequence of installation of the stormwater management plan, related to the starting and completion dates of the project.*
- k. *Applicant shall revise the report to include an analysis of stormwater runoff rates for the 1, 2, 10, 25 and 100 year stormwater events as the Borough Code requires.*
- l. *The Applicant did not provide sufficient information on the watershed and sub watershed which the site discharges and notes that they are shifting flows between existing drainage areas on site under proposed conditions.*
- m. *Appendix C: Curve Number Worksheets – The pre-developed land cover must be assumed to be in good hydrologic condition for all land covers.*
- n. *The total area and pervious area of EXDA-3 are inconsistent between the Curve Number Calculations and Existing Drainage Plan.*
- o. *The times of concentration of EXDA-1, EXDA-2 and EXDA-3 shall be consistent between the Time of Concentration Calculations, Existing Drainage Plan and Hydrographs.*

- p. *The total precipitation utilized in the runoff hydrographs shall be from the New Jersey 24 Hour Rainfall Frequency Data which indicates 2.78, 3.34, 4.89, 5.93 and 7.82 inches for the 1, 2, 10, 25 and 100 year stormwater events, respectively.*
- q. *The Time of Concentration Calculations for PRDA-3, pervious and impervious, shall be provided and the times calculated shall be utilized in the respective hydrographs. It should be noted that Time of Concentration Calculations for all other proposed drainage areas have been provided; however, 6 minutes was conservatively utilized in the hydrographs which is acceptable.*
- r. *The CN for PRDA-2B (pervious) on the Proposed Drainage Plan should be revised to 77 as indicated in the Time of Concentration Calculations and Hydrographs.*
- s. *The pervious area of PRDA-2C shall be consistent between the Curve Number Calculations, Proposed Drainage Area Plan and Hydrographs.*
- t. *The reach length and channel slope of Hydrograph No. 45 shall be revised to be consistent with the Stormwater Management Plan.*
- u. *Runoff Comparison Table 1 shall be revised to indicate the proposed peak runoff for each storm consistent with the hydrographs.*

The applicant does not take exception to any of the items listed below, for the Stormwater Operation and Maintenance Manual.

#### 5. Stormwater Operation and Maintenance Manual

- a. *Applicant shall provide a final Stormwater Operation and Maintenance Manual which conforms to NJDEP requirements/recommendations. Our office will provide additional review comments on stormwater O&M upon submittal.*
- b. *A Deed notice will be required to address NJDEP Stormwater Operation and Maintenance requirements.*

Mr. Selvaggi asked if there was a signed and sealed traffic impact study. Mr. Nusser confirmed that it was complete. He also asked if the additional height change assumptions and conclusions in the traffic study that was provided earlier. Mr. Nusser confirmed that it was not.

#### . Traffic Review

- a. *Applicant shall submit a signed and sealed traffic impact study.*
- b. *Applicant shall provide supporting numerical data to establish local peak hour for the study, the report makes statements that a limited turning count was utilized to establish peak hour traffic. Mr. Nusser stated all the data from the original report continues. There is no change here.*
- c. *Traffic impact report shall be expanded to include traffic circulation at the intersection of Route 22 and Route 122. Mr. Nusser stated that the report does not need to be expanded because it is*

*not part of the site. It was discussed at a prior meeting the County had a condition for the applicant. The concern is the trucks going down Edge Rd and going over a bridge that is weight limited. The applicant is willing to do what the County asks and that was to add a sign stating all truck traffic needed to access down Industrial Drive and on to Rt. 122 and the use of Edge Road is not allowed. The County is satisfied with what they presented. Mayor Dunwell stated that there was work done prior by our incumbent engineer so this condition may have already been met.*

- d. Applicant shall revise report to justify proposed ITE LU 150 code vs other ITE LU related to warehouse or similar uses.*
- e. The Applicant shall revise the report include projects that are already approved were not in operation at time of traffic count.*
- f. The applicant shall revise the report to address pedestrian access to the site.*
- g. Applicant shall provide a summary table that lists each turn movement and provides the level of service for each movement for existing, future no build and future build.*
- h. Applicant shall provide testimony to justify build out period utilized from the report.*
- i. Applicant shall discuss queuing of vehicles at intersection of Route 122 and Industrial drive.*
- j. Applicant shall include traffic circulation figures.*
- k. Applicant shall revise report to indicate total daily number trips per vehicle type weekday and weekday on 24 basis broken-down by vehicle classification type.*
- l. Applicant shall provide review of proposed driveway easement to adjacent lots.*
- m. Applicant shall provide testimony for accessing the site from Route 122, Route 22 and Route 78 due existing congestion and limited queueing at jug handle and how wayfinding will be address from Route 78 and Route 22.*
- n. Applicant shall obtain approval to weight restrict all surrounding public roads in Alpha due and post signage due to errant trucks that attempt to enter the site through adjacent local roads due likely conflicts with GPS and navigation aids. The applicant will contribute to putting in the signs themselves.*
- o. Applicant shall make improvements to Route 122 and Route 22 intersection as requested by NJDOT and Warren County and Township of Pohatcong.*

- p. *Applicant shall signal warrant analysis at intersection of Route 122 and Industrial Blvd. and Edge Road Route 122.*
- q. *Applicants shall amend report to address concerns raised by Warren County Transportation study that truck traffic will pose in this area and the Applicant will offset or address those items.*
- r. *Applicant shall be responsible to address updates to navigational mapping prior to occupancy to reduce errant truck vehicles. It was agreed that this needs to be addressed and there will need to be language addressing this when the time comes. Ultimately, it will be the developer who will have to deal with this which is why it is important to include this now.*
- s. *Applicant shall post variable message signs as directed by the Borough prior to occupancy to reduce errant vehicles for a duration to be established by the Borough.*

Mr. Selvaggi asked if an Environmental Impact Statement was completed, and Mr. Nusser confirmed it was. There was also discussion regarding the installation of electric charging devices because in the future there will be a move to electric.

#### 7. Environmental Impact Statement

- a. *Applicant shall expand air quality discussion to address how industrial warehouse will have minimal impact and further quantify impact based on state or federal standards. Mr. Selvaggi asked if when this site is developed, will it have any significant impact on air quality. Mr. Nusser stated no. There would only have a minimal impact.*
- b. *Applicant shall address how noise will be mitigated from industrial/warehouse activities such as limiting hours of operation or other treatments to limit impact to adjacent residential district. The proposed landscape buffers are not sufficient due to topography of the site. Mr. Nusser stated that trucks cannot be idling as they come into the site. If there is additional buffering needed, they are willing to look into that but ultimately, it meets the State's code for noise control.*

Mr. Selvaggi stated that in terms of the General Comment section below the applicant takes no exception to any of those items, 'a' through 'k'.

#### 8. General Comments

- a. *Applicant shall comply with required COAH requirements to be established by the Borough.*
- b. *Construction will occur in close proximity of Railroad right of way as such Site Plan shall include contact information for railroad operator, additional insurance requirements that are required for the work near railroad right of ways, required safety training and any other requirements of NJDOT Railroad Engineering Services Unit.*

- c. *Applicant shall provide approval from NJ Transit Corporation for an access easement across their property noted as Block 300 Lot 1.*
- d. *All site improvements shall meet NJDOT standards and requirements.*
- e. *Traffic Control plans shall be provided.*
- f. *Applicant shall provide prior to construction a copy all site improvement specifications or documents provided to contractor to the Borough for review for conflicts approved site improvements.*
- g. *Applicant per §54-13.2 shall be responsible to pay for any Tax Map of GIS database update fees to be determined by the Borough Engineer.*
- h. *Applicant shall provide electronic copy of all application documents and referenced documents whether application is approved or denied.*
- i. *Applicant will be responsible to resurface Seventh Avenue and Fifth Avenue curb to curb from dead end to limits of excavations into the intersection of Vulcanite Avenue.*
- j. *Applicant shall request Title 39 enforcement on site.*
- k. *Applicant shall number buildings as required by §276.*

#### 9. Phase 1 Environmental Site Assessment and Preliminary Assessment Report

- a. *Report that was submitted under preliminary site plan approval should be submitted. Applicant shall provide testimony at time of hearing to address comment. Applicant agrees to submit the report.*

Mr. Selvaggi asked Mr. Nusser if any of the changes have any material change on the bulk variance testimony that was given in connection with the initial application planning testimony, as in maximum lot coverage and setbacks, etc. Mr. Nusser stated that there are no changes. Mr. Nusser also corrected the record by stating there are no setback variances. The ordinance has a maximum lot depth requirement, and the applicant exceeds that lot depth requirement in two directions.

Mr. Selvaggi stated that he feels the applicant has addressed the engineer's requirements and that they are now looking to get the additional height that the ordinance allows.

At this time Mr. Selvaggi turned the remainder of the time over to anyone with questions.

Chairman Fey asked the engineer, Stan Schrek if he was ok with everything. Mr. Schrek stated he was.



Public Comment and Questions:

Mr. Gruenberg swore in Mr. Rowland Dech, 611 Vulcanite Ave., Alpha NJ,

Mr. Dech expressed concerns about the trees and that it will take 10 years to cover up the walls of the warehouse. He also has concerns about lighting and truck noise.

Mr. Nusser stated that the lighting is facing east and west and not toward his house. He also pointed out that the plan covers any additional landscaping should there be an issue with lighting. He could not answer whether or not it will be a 27x7 operation. It was also stated there is no road or driveway along that north side where Mr. Dech's house is situated.

There was additional discussion regarding the developer lowering the base elevation which would lower the height of the building and if that can be done, why isn't it being done in these plans. It would be less impact to the neighbors if the base elevation goes down, but the building height remains the same. Mr. Nusser stated that the building is lowered by five feet from the original plan and that any discussions being had about this are conceptual and this is not what they are proposing at this time. Mr. Gruenberg pressed further and stated that if this is being discussed then why are they not proposing it. There was also discussion about the Borough taking any of the excess dirt should a developer decide to lower the base.

Mr. Dragotta stated that if there is any way to lower the base without disrupting the cost too much, why not lower it to help the quality of life. Mr. Nusser said he understands but he cannot commit to this now.

Mr. Selvaggi cannot commit to a number or even commit to doing this at this time.

Mr. Selvaggi confirmed they are seeking preliminary approval with conditions this evening as the application has been presented.

Mr. Gruenberg sworn in Jodie Smith, 1132 Fifth Ave. She asked Mr. Nusser to confirm that the emergency access is off Seventh Ave. Mr. Nusser confirmed that. She is concerned that the truck traffic is going to end up on Seventh Ave. Mr. Nusser stated that the way-finding should keep that from happening and by installing significant signage.

Motion made by Mr. Fritts to close the public hearing. Motion seconded by Mr. Cartabona.

Roll Call: Ayes: Mr. Cartabona, Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, Mr. Fritts, Mr. Plimpton, and Mr. Schwar. Nays: None. Absent: Mr. Gable.

Mr. Gruenberg stated that this is an application that is filed for amended preliminary site plan approval together with the variances that have been previously granted except for the coverage variance which is slightly altered by .03%. The applicant has agreed and the conditions that have been discussed by the Borough's professionals regarding the compliance in Mr. Schreck's March 15<sup>th</sup>, 2021, letter.

Motion made by Mr. Schwar to approve the amended preliminary site plan. Motion seconded by Mayor Dunwell. Roll Call: Ayes: Mr. Dragotta, Mr., Fey, Mr. Fritts, Mr. Plimpton, and Mr. Schwar. Nays: Mr. Cartabona, Ms. Dalrymple, Mayor Dunwell. Absent: Mr. Gable.

Motion passes.

New Business:

Chairman Fey would like to go back to advertising in the Express-Times instead of the Hunterdon County Democrat. Mr. Cartabona will send Mr. Gruenberg information on whether it would be a legal to switch to the Express-Times.

Next Meeting: April 21, 201

Adjournment:

There being no other business on the agenda, a motion was made by Mr. Cartabona to adjourn the meeting at 10:00 PM. Motion seconded by Mr. Plimpton. The motion carried unanimously.

Respectfully submitted,

Donna L. Messina,

Land Use Board Secretary

Approved: 07/21/21