

BOROUGH OF ALPHA LAND USE BOARD -

November 29, 2021, Special Meeting

Municipal Building 1001 East Blvd., Alpha, New Jersey

This Special 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.

PUBLIC HEARING:

WIP, Alpha, LLC. – Application #2021-01, Block 200.01, Lot 10 for preliminary and final major site plan approval with “c” variance relief continued from the regularly scheduled meeting of October 20, 2021.

Mr. Mark Peck introduced him self as an attorney with Florio Perrucci Steinhardt Cappelli Tipton & Taylor, LLC who is representing the applicant. He stated that this application came before the Board on October 20, 2021, and is now being continued to this special meeting. Since that meeting, they have done several things including a revision of the site plans, as referenced by Van Cleef Engineering Associates indicated in the October 8, 2021, technical review. He also indicated that the traffic report has been updated and revised as well as the truck movement plans and the survey. They have also revised the stormwater report and prepared a fire hydrant exhibit. This plan is for the construction of a 450,000 sq. foot warehouse, including 6000 sq. feet of office space in an area of the Borough where warehouses are a permitted use. There is also an

associated property located at block 10.05, lot 100 which is only intended to be used as a utility easement serving this property.

Mr. Peck reviewed the following from the technical review:

Bulk Variances:

- a. §410-21 Schedule of Area, Yard, and Building Requirements – Maximum lot area Variance Required – The Applicant proposes a lot area of 33.67 acres whereas 2 acres is the maximum permitted; therefore a variance is required.
- b. §410-21 Schedule of Area, Yard, and Building Requirements – Maximum Building Coverage
Variance Required – The Applicant proposes a building coverage of 30.7% whereas 30% is the maximum permitted; therefore, a variance is required.
- c. §410-43 Off-street Parking
Variance Required – The proposed site contains 6,000 SF of office, which shall require 1 space per 2—square feet, and 444,000 SF of warehouse space, which shall require 1 space for every 1,000 SF, for a total of 474 required parking spaces. The Applicant provides 230 parking spaces but demonstrates that the site can be modified to accommodate an additional 244 banked spaces for a total of 474 spaces. 224 of these parking spaces can be made at the expense of losing the truck trailer parking. A variance is required.
- d. §410-3. B Definitions – Off-street parking space – The off-street parking area for one motor vehicle. Such parking space shall have an area of not less than 200 square feet, exclusive of access drives or aisles, shall be a minimum of 10 feet in width measured perpendicular to the axis of the length and shall have adequate provision for ingress and egress on the property.
Variance Required – Applicant proposes parking spaces of 9'x18' whereas, at minimum, 10'x20' is required. Therefore, a temporary variance is required.
- e. §410-51 Industrial Zones (Signage)
Variance Required – The proposed site contains four 5' high, 10' wide monument signs (two at each driveway entrance) whereas only one freestanding sign or building mounted signage is permitted. Therefore, a variance is required.
- f. §410-3. B Definitions – Off-street parking space – The off-street parking area for one motor vehicle. Such parking space shall have an area of not less than 200 square feet, exclusive of access drives or aisles, shall be a minimum of 10 feet in width measured perpendicular to the axis of the length and shall have adequate provision for ingress and egress on the property.

Variance Required – Applicant proposes parking spaces of 9'x18' whereas, at minimum, 10'x20' is required. Therefore, a temporary variance is required.

Mr. Peck also stated that there were several design waivers, and they will be addressed with testimony provided by the experts present at this meeting.

Attorney Gruenberg stated that the proof of service and the publication of notice of hearing were provided and that the Board has jurisdiction to proceed.

Exhibit A1 – a booklet to assist with the testimonies of the experts was handed out to the Board by Stephan Santora.

Stephan Santora, attorney for the applicant, was sworn in by Attorney Gruenberg at this time and presented his qualifications and gave a history of Woodmont Industrial Partners. He stated that the building will not be phased in but will be constructed all at one time. He cannot give any potential tenant information at this time, but the design of this building will be very flexible so to accommodate many of the of permitted uses with the highest end tenants and the highest end rents as possible. He also spoke to 'banked spaces' which will be tenant trailer spaces that could be converted into car parking if needed. He also reminded everyone that they do have an easement on the other side of Rt. 78, which is in escrow.

Attorney Gruenberg opened the floor to the public for questions or comments.

At this time Mr. Peck introduced witness, Mr. William Lane. Mr. Lane, engineer for the applicant, was sworn in by Attorney Gruenberg at this time and presented his qualifications.

Mr. Peck confirmed that Mr. Lane is familiar with the site and asked him to describe, for the Board, Site Exhibit A-2 – existing conditions. He described the site and stated that it sits on 33.67 acres and that warehouses are a permitted use and that they received conditional county approvals in September of this year.

Site Plan – Exhibit A-3 was introduced as an overall colored rendering of the site with landscaping included. The proposed building will be a 450,000 sq. foot warehouse, centrally located on the property and is accessible by two driveways with signage. He described the parking, stating that there are two lots coming off Edge Rd., with 125 spaces and one in the rear

of the building with 105 spaces for a total of 230 spaces for parking. Mr. Peck asked about the size of the parking spaces, stating that our ordinance calls for spaces 10'x20'. He further described the circulation of the traffic entering and exiting the building. Mr. Peck then asked him about the stormwater flow. Mr. Lane stated that they propose seven retention ponds and gave the location of those ponds. These are in line with all the DEP regulations. Chairman Fey asked where the water will go on Edge Rd. Mr. Lane stated that it would predominately sit in the wetlands and slowly travel out near Edge Rd. Addressing the utilities on the site, Mr. Lane stated that they are proposing a pump station on the north west side of the building, going under Rt. 78 and tying in to 8-inch sewer lateral in the industrial park. Mr. Schrek asked if there have been any discussions regarding the boring under Rt. 78. Mr. Lane stated that it is under the jurisdiction of the Delaware Joint Bridge Commission, and they have had initial discussions but haven't gone any further than that until they get approval. Mr. Peck asked Mr. Lane to describe the landscaping on the site. He stated that they are preserving most of the plantings and will add 200 trees, 1100 shrubs and ground cover that complies with current ordinances. He also described the lighting. He stated that there will be LED lighting and they will have 24 wall mounted lights on the building and 22 lights on the poles. Any nightglow spillage will be contained on the site. When asked Mr. Lane stated that he did review the latest review letter from Van Cleef, and he takes no issue with any of the reviewed items in the letter. The letter was marked as exhibit B-1. Before concluding, Mr. Schrek stated that we have not received any feedback yet from the Fire Department. He does raise concerns about the circulation around the building as it relates to fire equipment access. There are plans to have a fire hydrant at each corner of the building. The Board is requesting additional hydrants at the middle of each side of the building. Mr. Schrek referred everyone to page 15 items 'l' and 'm'.

- l. §315-10. B(2)(f)[2] All fire aisles shall be a minimum of 30 feet in width.
*Temporary Waiver Required – Applicant has not provided any clearly denoted fire aisles. Proposed drive aisles are a minimum of 24 feet wide. Input from the Fire Subcode Official and Fire Department should be required, in addition to a temporary design waiver. **Outstanding (Fire Department) – The 24 feet wide parking lot drive aisles are necessary for full coverage around the building. Applicant has not requested a design waiver. Input shall be provided by the Fire Department.***
- m. §315-10. B(2)(f)[3] No portion of a structure shall be more than 600 feet from a fire hydrant where public water is available.
Temporary Waiver Required – Applicant shall provide fire hydrant exhibit that demonstrates proper coverage. The Applicant shall also be required

to ensure hydrants have adequate flow to support fire operations or request a temporary design waiver from this requirement.

Outstanding (Fire Department) – Applicant has provided Fire Hydrant Exhibit showing 600’ spacing between fire hydrants. Input shall be provided by the Fire Department.

It is agreed that they will comply with ‘l’ and ‘m’ above and add the additional fire hydrants around the building.

Mr. Dragotta voiced his concern that there is only one source of water coming into the building. He would like a secondary source of water to be available to the property by extending a main up Edge Rd. as far as possible. After much discussion, they will address this with their architect and there will also be a hydraulic analysis done.

There was discussion about stormwater run off and Mr. Schrek doesn’t see any issue with the current conditions.

Attorney Gruenberg asked Mr. Lane to address ‘10.B2’.

l. §315-10.B(2)(a)[1] Driveways. Driveways and roadways shall not exceed a maximum grade of 6% and shall not exceed a grade of 4% within 100 feet at the sideline of an intersecting street.

Temporary Waiver Required – Applicant proposes grades of 7% within the first 100 feet of the driveway entrance whereas 4% is the maximum. Therefore, a temporary design waiver is required.

Applicant has requested a design waiver.

After explaining the reasoning for the waiver, it satisfied Attorney Gruenberg’s request.

There were no further questions from the Board or the public at this time.

Attorney Gruenberg to address ‘10. A2’.

a. §315-10. A (2) Relation of proposed buildings to environment. The proposed structure shall be related harmoniously to the landform (either natural or man-made) and to existing buildings in the vicinity that have a visual relationship to the proposed buildings. The achievement of such relationship may include the enclosure of space in conjunction with other buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, terrain features or other buildings.

Waiver Required - Testimony required as to the new relationship of the proposed building to the environment.

Mr. Lane went on to explain the additional approvals that will be needed by outside agencies including, Warren County, Upper Delaware Soil Conservation, Delaware Joint Toll Bridge Commission and The Highlands.

Mayor Dunwell had comments about signage to avoid any future negative traffic impacts outside of our community, specifically Pohatcong. It was determined that the notification sent out was sufficient and no further notification to Pohatcong are necessary.

At this time Mr. Peck introduced the next witness, Mr. Phil Ruggieri, architect for the applicant, who was sworn in by Attorney Gruenberg. Mr. Ruggieri presented his qualifications.

Mr. Ruggieri described the building design, referring to 'a 1.1', the overall floor plan for the building, consisting of 450,000 sq. feet. The building will include an ESFR sprinkler system. Exterior walls will be constructed of insulated concrete tilt-up, and the roof will be of steel bar joists with a rubber membrane. At this time, he referred everyone to 'a 3.1'-Building Elevations, which was previously submitted and has not been changed. He described the building design, including office spaces of which will take up 6,000 sq. feet. There will also be signage, which was demonstrated in 'a 3.2'. There will also be several dock doors on the entire south side of the building. There will also be knock-outs for future expansion.

Chairman Fey had questions about access and service to the sprinkler system. They will revise the plan to provide the proper access to the sprinkler system without losing any of the parking spaces. There were no further questions from the Board or the public at this time.

At this time Mr. Peck introduced the next witness, Mr. Karl Pehnke, traffic operations engineer for the applicant. He was sworn in by Attorney Gruenberg and presented his qualifications.

At 8:07 p.m. the Board took a short break returning at 8:16 p.m.

Mr. Peck confirmed that Mr. Pehnke reviewed the site plan and asked him to describe the traffic circulation. He described how the study was conducted and how the trucks will enter and exit the property as well as the directional signage. They are asking for a variance on the parking space sizes. They are proposing 9'x18', which will require a variance. Mr. Schrek agrees with the proposed size of the parking spaces. Mr. Dragotta had questions regarding improvements to Edge Rd. There were questions about the width of Edge Rd. They will provide a right-of-way if necessary. They also confirmed that all road widening is done within Alpha.

Ms. Dalrymple had concerns about the traffic, specifically Exit 3 eastbound in Greenwich Township and then turning west on to Rt. 173 where Exit 3 westbound merges. Trucks must cross the middle and right lanes to make the jug turn onto New Brunswick Ave. DOT does not require a study based on the existing traffic. Mr. Dragotta also expressed his concerns about the additional traffic in an area that is already a difficult safety maneuver. Mr. Shrek asked about proper signage at the connection road.

Mayor Dunwell thought it would be a good time to discuss the improvements that the Borough is proposing at Rt. 122 and Industrial Dr. His opinion is the Borough would need a right-of-way to make those improvements. There is a willingness on the part of the applicant to dedicate some land to make those improvements happen. We could consider that an off-track improvement contribution. The applicant does own that lot and feels that there would be no problem in accomplishing this.

There were no further questions from the Board or the public at this time.

At this time Mr. Peck introduced the next witness, John McDonough, a licensed professional planner, for the applicant. He was sworn in by Attorney Gruenberg and he presented his qualifications.

Mr. Peck confirmed that Mr. McDonough had studied the plan and is ready to discuss the proposed construction.

Mr. McDonough states that in this case the list for conformance is much larger than the list of areas where they are asking for relief. He describes that the applicant is proposing a warehouse, which is a permitted use in this zone. The building coverage does require some relief, but this is a slight amount. He feels this is mitigated by the extensive greenery that the applicant is proposing. In the area of parking, they are looking for some banked parking relief; however, if in the future there is a need for increased parking that need can be met. They are also seeking relief to the parking stall dimensions as they are proposing a stall size of 9'x18' vs 10'x20'. The monument signs will also require relief since they are proposing two monument signs, whereas only one freestanding sign or building mounted signage is permitted. This building will be designed to look like more of an office building rather than a warehouse. His opinion is that with the prior testimonies, this site will function safely and efficiently without any negative impact to the surrounding public. He stated that the design exceptions all meet the lower standard of

reasonableness and appropriateness as put forth by the testimony of our engineers. He recommends that the applicant submit its burden with all the testimony on the record and approval is warranted.

There were no further questions from the Board or the public at this time.

Attorney Gruenberg asked if there were any members of the public present who would like to give any testimony or present any evidence before the Board. There was none.

Mayor Dunwell added that the Governing Body recommends that the Borough take ownership of the pump station which would require it to be moved from its proposed location to the boarder of Interstate 78. The applicant agreed to make this change. The Borough is proposing a developer's agreement to relocate the pump station in coordination with the Borough and proper dedication. The Borough would takeover the maintenance of the pump station.

Seeing no further questions or comments from the Board or the public, motion made by Mr. Schwar to close the public hearing. Motion seconded by Mayor Dunwell. Ayes: Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, Mr. Fritts, Mr. Schwar. Nays: None. Absent: Mr. Cartabona, Mr. Gable, and Mr. Plimpton.

Attorney Gruenberg stated that this is an application for preliminary and final site plan approval with variance and design waivers that have been requested. The applicant has the burden of establishing that the variances can be granted by proof of the positive criteria and that the negative criteria variances will not cause a substantial detriment to the public good and won't substantially impair the intent and purpose of the zone plan in the zoning ordinance. As to the positive criteria, Mr. McDonough offered proof of compliance with a 'c-2' variance that the benefits outweigh the detriments by granting these variances.

Attorney Gruenberg continued that compliance with respect to Mr. Schrek's review correspondence marked as 'b1':

- The trailer parking will be limited to the use of an occupant of the building.
- Compliance with outside governmental agency approval, including the Delaware Toll Commission.
- Receipt of comments and adhere to the comments of the Alpha Volunteer Fire Department.

- The applicant will add two fire hydrants. One in the middle of each side of the building.
- Revise the plans to keep the number of parking spaces that will provide access to the FDC.
- The applicant will provide truck weight restriction warning signs, in cooperation with the Borough.
- The applicant will provide a right-of-way deed of dedication for the road widening on Edge Road to 30 feet on the Alpha side. This will require dedication from 16 ½ feet to 25 feet from the center line.
- The applicant will work with the Borough to set signage.
- The applicant will provide a right-of-way dedication on block 100.01 lot 1 at the intersection of Rt.122 and Industrial Drive for Borough improvements to provide safer access to the proposed site.
- Relocate the sewer pump station in coordination with the Borough and provide a dedication for the Borough to undertake maintenance.
- Provide a developer's agreement to the satisfaction of the Board and Borough professionals with establishment of proper performance guarantees and the regular Board conditions as well.

Motion made by Mr. Schwar to approve the preliminary and final site plan with the 'c' variance and design waivers for WIP Alpha, LLC application #2021-01. Motion seconded by Mayor Dunwell. Roll Call: Ayes: Mayor Dunwell, Chairman Fey, Mr. Fritts, and Mr. Schwar. Nays: Mr. Dragotta, and Ms. Dalrymple. Absent: Mr. Cartabona, Mr. Gable, and Mr. Plimpton. Motion passes.

Chairman Fey requested that we cancel the next meeting, scheduled for December 8, 2021, at 7:00 PM and set a Special Meeting for December 15, 2021 at 7:00 PM.

Attorney Gruenberg encouraged Board members to articulate your reasons for voting no during the discussion.

Next Meeting: December 15, 2021.

Adjourn:

There being no other business on the agenda, Mr. Schwar moved to adjourn the meeting at 9:02 PM. Mr. Dragotta seconded the motion. The motion carried unanimously,

Respectfully submitted,

Donna L. Messina,

Land Use Board Secretary

Approved: __/__/__