

BOROUGH OF RARITAN
Planning Board Regular Meeting
MINUTES
February 8, 2017

CALL TO ORDER

Chairman Miller called the meeting to order at 7:00 p.m. in the Raritan Municipal Building. He read the Open Public Meetings statement as follows: This meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was sent to the Courier News and Star Ledger on January 6, 2017. In addition, copies of the notices were posted on the bulletin board in the Municipal Building, on the Raritan Borough website and filed in the Office of the Borough Clerk. They were also sent to those people who have requested and paid the cost for mailing same. Notices on the bulletin board have remained continuously posted. Proper Notice having been given, the Board Secretary was directed to include this statement in the Minutes of this meeting.

ROLL CALL

Present:

Chairman R. Miller
Vice Chairman Brown
Mr. J. Gausz
Mr. B. Cunningham
Ms. D. Thomas
Mr. Fortkus
Ms. A. Goetsch
Mayor McMullin
Mr. E. Wilde

Also Present: Susan Rubright, Esq.
Stan Schrek, P.E.
Angela Knowles, P.P., A.I.C.P.

Absent: Mr. Zack
Councilman Bray*
Mr. Krajewski
Mr. DeCicco

*Councilman Bray was present for roll call but left shortly thereafter. He returned but did not participate in the first part of the application involving the use variance.

APPROVAL OF MEETING MINUTES

Motion by Mr. Gausz, **seconded** by Mr. Fortkus and unanimously carried to approve the Minutes of the **January 11, 2017 Meeting**, as written.

ROLL CALL

Aye: *Chairman Miller, Vice Chairman Brown, Mayor McMullin, Mr. Gausz, Mr. Cunningham, Ms. Thomas, Mr. Fortkus, Ms. Goetsch*

Nay:

Abstain: *Mr. Wilde*

ENGINEERING REPORT

Mr. Schrek advised that under the new rules for stormwater permitting, Board members, elected officials and certain public works employees would be required to obtain certification for review of stormwater. He related that the new rules are expected to go into effect by the end of the year which would mean certification by June, 2018 for those affected.

PLANNER'S REPORT

Ms. Knowles provided an update on Affordable Housing/COAH. She spoke about the impending update to the Housing Plan Element of the County Master Plan and asked that individual comments be sent to her for inclusion in a response from the Borough which would contain the collective input. Circulation of the letter

through the Chairman prior to finalizing was discussed. Ms. Knowles advised that she would have a budget for the LaGrange Redevelopment project prepared by the next meeting.

TRC MEETING UPDATE

Chairman Miller advised that there had been no TRC meetings and that there were none scheduled.

MISCELLANEOUS

The Board Attorney spoke to the proposed amendment to the Land Use Checklist Ordinance. Chairman Miller advised that he received Resolution 17-01-33 regarding Block 29 to perform an investigation for an Area in Need of Redevelopment. The Board Attorney suggested that discussion on this matter be tabled.

OLD BUSINESS

East Ridge Development, LLC

Block 29, Lot 1 (119 Route 202) *Site Plan, D Variances, Bulk Variances, Waivers*

Chairman Miller announced that the hearing was carried to 03/08/17 without further notice.

APPLICATION/HEARING

Labcorp

Block 62, Lot 4.01 (69 First Avenue) *Preliminary & Final Site Plan (BI 78, L 1 & BI 62, L 3); Use Variance (BI 62, L 4.01) and Bulk Variances (BI 78, L 1, BI 62, L 4.01 & BI 62, L 3)*

The Board Attorney explained that the application was filed in three parts because of the involvement of several lots and various types of relief. She related that the first part was for a use variance relative to construction of a parking area on a lot without a principal structure and that the other two were Site Plans.

Mayor McMullin recused due to the use variance and Mr. Cunningham recused as the result of a conflict.

The Board Attorney disclosed a relationship that her firm has with property owners in the area. She clarified that they are not representing any private clients in connection with the application. The applicant's attorney had no concerns with respect to her disclosure.

Attorney Jeff Leherer of DiFrancesco, Batemen, et al appeared on behalf of the applicant. He provided an overview of the relief associated with the entire project. Mr. Leherer explained that the first application was for Preliminary & Final Site Plan including a use variance and bulk variances relative to a standalone parking lot. He explained that the second application was for Preliminary & Final Site Plan with bulk variances to include installation of loading docks and to make various improvements to the existing building at 10 Johnson Drive. He explained that the third application was for Preliminary & Final Site Plan with bulk variances relative to a two story addition to the main campus and installation of additional parking on Block 78, Lot 1. Project cost, justification for expansion and movement of staff during renovations was discussed.

The Board Attorney confirmed that Notice was sufficient and that with the exception of the waiver for EIS which was permanent, all requests for waivers were granted with respect to completeness only. Mr. Schrek recommended that the application be deemed complete based upon the information provided.

Motion by Mr. Brown, **seconded** by Ms. Thomas to deem the application complete.

ROLL CALL

Aye: *Chairman Miller, Vice Chairman Brown, Ms. Thomas, Mr. Gausz, Mr. Wilde, Mr. Fortkus, Ms. Goetsch*

Nay:

Abstain:

Thomas Specian identified himself as **Vice President of LabCorp of America**. He provided an overview of the business, describing how it evolved into an international operation employing over 50,000 people. He provided details on the building expansion and proposed visual enhancements while Mr. Leherer spoke to production goals. The Chairman opened the floor to questions of the witness. There were none.

Engineer Craig Stires of Stires Associates was sworn in and qualified himself before the Board.

Exhibit A-1, identified as "Aerial View" was described as a colored rendering of all of the lots and marked into testimony. Speaking to the existing and proposed conditions, Mr. Stires identified the residences to the north and south, the rail yard and JFK School. He placed an acetate overlay on top of the exhibit and identified the proposed addition, parking lot, building slated for demolition and parking areas. He explained that Lot 3 would be leased. Mr. Leherer discussed accessibility/access to the new building with respect to a 30' strip of land owned by NJ Transit that prevents the buildings from being connected. Access for the new parking lot was discussed. Pedestrian safety was discussed with respect to the right of way.

Exhibit A-2 identified as "Landscape Plan West" and referred to as a colorized rendering of Sheet 9 of 15 of the plan set for Block 62, Lots 3&4.01 (Preliminary&Final Site Plan) was marked into testimony. Mr. Stires identified 20 Johnson Drive. He discussed parking lot circulation and explained that the access drive would be realigned to traverse the NJ Transit property while the building would be removed in order to accommodate the parking lot. He discussed the landscape theme, buffering, lighting and an existing water line/easement on Weiss Terrace. There was a brief discussion about whether an agreement with NJ Transit would be a condition of approval. Ms. Rubright spoke to *Hartz Mountain Industries v. Village of Ridgefield Park*. Mr. Leherer asked to defer comments on Mr. Schrek's review letter to the third application.

Mr. Stires discussed traffic calming techniques with respect to pedestrian crossing and ordinance compliant parking. Mr. Specian testified as to the number of employees. Sustainability was discussed in response to a question from Ms. Thomas and other green initiatives, including bicycle friendly accommodations were discussed in response to a question from Mr. Brown. The Chairman opened the floor to questions of the witness. There were none.

Elizabeth Dolan of Dolan & Dean Consulting Engineers was sworn in and qualified herself before the Board. Ms. Dolan testified that she prepared the Traffic Impact Assessment for the project and summarized her report findings. She testified that trucks would be oriented to 10 Johnson Drive and that the plan was designed in accordance with safe practices.

Mr. Leherer called attention to page 17 of Mr. Schrek's review. Truck activity was discussed. The future redevelopment of the Forgione property was discussed as it relates to item #2 of the memo. A report prepared by Dynamic Traffic for that project was discussed. Peak volumes were discussed with respect to item #3 and shift hours/staffing levels were discussed in connection with item #4. The Chairman opened the floor to questions of the witness. There were none.

A discussion ensued regarding truck turning movements/access from First Avenue and coordination with the County in response to a question from Chairman Miller. Mr. Stires advised that plans were recently submitted to the County. Potential impacts of that submission were discussed and the Board Attorney related that any approval would be conditioned upon their feedback. Mr. Schrek advised that the intersection in question was already under scrutiny.

Speaking from the audience, Bill Cunningham (31 Glaser Ave.) asked about truck traffic at 10 Johnson Drive and whether the existing tenants would remain on site. Mr. Schrek indicated that there would be a regional benefit to having a discussion with the County and as such, related that he would facilitate same.

Planner Christine Nazarro-Cafone was sworn in and qualified herself before the Board. Ms. Cafone advised that stand alone parking was not permitted in the zone. She spoke to site suitability and outlined the proofs for the D1 variance, speaking at length to both the positive and negative criteria.

Mr. Leherer spoke to other bulk variances, including a de minimus increase in impervious coverage for this lot. Mr. Schrek asked about mitigation techniques in order to address additional coverage. Mr. Leherer offered that a better condition was being created at 69 First Avenue. Ms. Cafone offered that the bulk variances were subsumed into the use and that it was appropriate to rely on the standards for a c1 with respect to the proofs for those. Other mitigation techniques were discussed with respect to coverage. Mr. Stires offered that there was an overall reduction in impervious coverage for the entire project. The Chairman opened the floor to questions of the witness at 8:50. There were none.

The Board Attorney outlined the possible conditions of approval.

Mr. Leherer clarified that the agreement with NJ Transit would not be an easement of record. A discussion ensued about the need for an amended approval if the agreement is not obtained. Timeframes for construction were discussed.

Motion by Ms. Thomas, **seconded** by Mr. Fortkus for approval of the Preliminary and Final Site Plan with Use and Bulk variance relief subject to conditions including but not limited to Site Plan approval for the rest of the property/lot, an access agreement with NJ Transit and County Planning Board approval.

ROLL CALL

Aye: *Chairman Miller, Vice Chairman Brown, Ms. Thomas, Mr. Gausz, Mr. Wilde, Mr. Fortkus, Ms. Goetsch*

Nay:

Abstain:

At the behest of Mr. Leherer, Ms. Rubright confirmed that if the configuration of the lot has to be changed, it would be subject to amended site plan only since the use variance was granted.

The Board recessed at 9:05. Mayor McMullin and Councilman Bray returned to the dais. Chairman Miller announced that there would be no new testimony heard after 10pm.

Making reference to Exhibit A-1, Mr. Stires identified 10 Johnson Drive. **Exhibit A2-1** identified as "Landscape Plan" and described as sheet 6 of 9 of the plan set for Block 3, Lot 62 was marked into testimony. Mr. Stires identified the loading area, driveway and loading dock (to be removed) and spoke to

renovations on the eastern and southern facades as well as additional parking and other exterior features/proposed modifications. He explained that parking need would be met with the adjoining lot and spoke to landscaping, lighting and stormwater management. Lease limits were discussed in response to a question from Mr. Schrek. Loading dock access was discussed. Maintenance of the turnaround area was discussed in addition to ADA parking. Mr. Stires indicated that the generator was to be relocated. Sound attenuation was discussed. Mr. Stires testified that it will conform to State regulations and the Borough noise ordinance. The Chairman opened the floor to questions of the witness. There were none.

Architect Rocco Campanella was sworn in and qualified himself before the Board. He identified floor plans for the building at 10 Johnson Drive. He spoke to interior and exterior renovations and explained that the plan duplicates all functions already existing at 20 Johnson Drive. Referencing Sheet A1-P of 2, Mr. Campanella spoke specifically to the new vestibule, loading docks, access points, handicapped accessibility and administrative/office areas.

Exhibit A2-2, identified as "Elevations" and described as a colorized version of A2-P was marked into testimony. Mr. Campanella provided an extensive overview of the rendered elevations.

Mr. Specian responded to questions from Mr. Schrek regarding content of tractor trailer deliveries. Staffing levels and employee relocation was discussed. Mr. Specian indicated that deliveries would be made to main building via box truck between 7:30a.m-3:30p.m. Internal circulation was discussed. Mr. Specian verified the number of estimated daily deliveries. Prior Exhibit A-1 was incorporated into testimony. Mr. Stires spoke at length to truck circulation, particularly with respect to offloading. The Chairman opened the floor to questions of the witness. There were none.

The Board Attorney outlined the possible resolution conditions including but not limited to compliance with Mr. Schrek's review letter of February 3, 2017. Mr. Leherer affirmed that the applicant would comply with all of the comments therein.

Motion by Mr. Gausz, **seconded** by Mr. Fortkus to approve the Preliminary & Final Site Plan and bulk variances with conditions as outlined by the Board Attorney.

ROLL CALL

Aye: *Chairman Miller, Vice Chairman Brown, Mayor McMullin, Councilman Bray, Ms. Thomas, Mr. Gausz, Mr. Wilde, Mr. Fortkus, Ms. Goetsch*

Nay:

Abstain:

Mr. Leherer advised that Mr. Stires' prior testimony would be incorporated into the hearing for Block 1, Lot 78 (69 First Avenue). Referring to Exhibit A-2, Mr. Stires explained that the new addition would sit on top of the existing parking lot and that any residual impervious coverage would be removed, graded and landscaped. He spoke to modifications to the rear lot and stormwater as it relates to 10 Johnson Drive. He explained that there would be a slight increase in impervious coverage on parking lot 3 but a substantial decrease on the existing facility for a net decrease of 41,000 s.f.

Exhibit A3-1 identified as "Landscape Plan" [colored rendering] and described as sheet 10 of 15 of the plan set was marked into testimony. Mr. Stires identified the proposed improvements on this portion of the site, particularly the addition of a canopy over parking area to accommodate deliveries, a parking lot

reconfiguration, a continuation of the sidewalk, new landscaping and new lighting. He testified that parking is conforming when combined with Lot 4.01 and spoke at length to parking need. He indicated that the applicant would comply with the comments in Mr. Schrek's letter of February 3.

Green improvements (automation, modernization water usage, alternative energies) were discussed. Speaking to item #2 on page 16 of Mr. Schrek's review letter, Mr. Leherer asked for a modification to the request for installation of upstream water quality measures. Mr. Stires confirmed that he would work on this to the satisfaction of the Board Engineer. The Chairman opened the floor to questions of the witness. There were none.

Mr. Stires confirmed that if the old rail siding had not already been removed, it would be.

Architect Rocco Campanella resumed testimony. He identified the floor plans/elevations for the upper and lower levels in addition to the rooftop.

Exhibit A3-2, identified as a colored rendering of elevations facing Johnson Drive was marked into testimony. Mr. Campanella spoke to building materials and offered that colors to match 10 Johnson Drive would be used. An extensive discussion ensued about the height requirements. Mr. Campanella offered that the building height was conforming and explained how he calculated elevations. **Exhibit A3-3** identified as "Building Height Analysis" was marked into testimony. Mr. Schrek confirmed that the building was conforming for height based on the calculations provided using average grade. The Chairman opened the floor to questions of the witness and to public comment. There were none.

A discussion ensued about softening the corner at the intersection of First Avenue & Johnson Drive and utilizing it for something community oriented. Mr. Specian offered that LabCorp would entertain suggestions. The Board Attorney reviewed possible conditions of approval.

Motion by Councilman Bray, **seconded** by Mr. Gausz to approve the Preliminary & Final Site Plan and bulk variances with conditions including but not limited to those outlined by the Board Attorney.

ROLL CALL

Aye: *Chairman Miller, Vice Chairman Brown, Mayor McMullin, Councilman Bray, Ms. Thomas, Mr. Gausz, Mr. Wilde, Mr. Fortkus, Ms. Goetsch*

Nay:

Abstain:

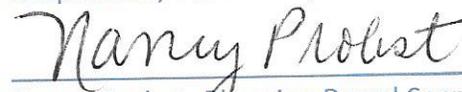
PUBLIC COMMENT

The Chairman opened the floor to public comment. There was none.

ADJOURNMENT

Motion by Mr. Gausz, **seconded** by Mr. Fortkus to adjourn the meeting at 10:19 p.m.

Respectfully submitted,



Nancy Probst, Planning Board Secretary

APPROVED 03/08/17