

**TOWNSHIP OF FRANKLIN
PLANNING BOARD
COUNTY OF SOMERSET, NEW JERSEY**

**VIRTUAL
REGULAR MEETING
May 5, 2021**

The regular meeting of the Township of Franklin Planning Board was held at 475 DeMott Lane, Somerset, New Jersey and was called to order by Chairman Orsini, at 7:30 p.m. The Sunshine Law was read, the Pledge of Allegiance said, and the roll was taken as follows:

PRESENT: Councilman Chase, Carl Hauck, Meher Rafiq, Jennifer Rangnow, Charles Brown, Carol Schmidt, and Chairman Orsini

ABSENT: Mustapha Mansaray, Robert Thomas, and Sami Shaban

ALSO PRESENT: Mr. James Clarkin, Board Attorney, Mark Healey, Planning Director, and Christine Woodbury, Planning & Zoning Secretary

MINUTES:

- **Regular Meeting – April 7, 2021**

Chairman Orsini made a motion to approve the Minutes, as amended. Vice Chair Brown seconded the motion, and the roll was called as follows:

FOR: Councilman Chase, Mr. Hauck, Ms. Rafiq, Ms. Rangnow, Vice Chair Brown, Ms. Schmidt, and Chairman Orsini

AGAINST: None

RESOLUTIONS:

- **Elizabeth Realty Partners, LLC / PLN-21-00001**

Chairman Orsini made a motion to approve the Resolution, as submitted. Ms. Rafiq seconded the motion, and the roll was called as follows:

FOR: Councilman Chase, Mr. Hauck, Ms. Rafiq, Ms. Rangnow, Vice Chair Brown, Ms. Schmidt, and Chairman Orsini

AGAINST: None

- **3 Ronson, LLC / PLN-20-00012**

Chairman Orsini made a motion to approve the Resolution, as submitted. Councilman Chase seconded the motion, and the roll was called as follows:

FOR: Councilman Chase, Mr. Hauck, Ms. Rafiq, Ms. Rangnow, Vice Chair Brown, Ms. Schmidt, and Chairman Orsini

AGAINST: None

PUBLIC COMMENTS:

Chairman Orsini then made a motion to open the meeting to the public for general Planning comments. Councilman Chase seconded the motion, and all were in favor. Seeing no one coming forward, Chairman Orsini made a motion to close the public portion of the meeting. Mr. Thomas seconded the motion, and all were in favor.

Mr. Christopher Brosius, 28 Central Avenue, Somerset, NJ, came forward. Mr. Brosius indicated that the WebEx system was not working. He indicated that he registered ahead of time but could not get on the system to participate in the meeting that evening, so he used the call-in function instead. A discussion ensued regarding what a participant will/will not see and hear and when. Mr. Healey indicated that there were 38 participants in a “room” waiting to participate, if they wish to do so.

Seeing no one further coming forward, Chairman Orsini made a motion to close the meeting to the public. Councilman Chase seconded the motion, and all were in favor.

HEARINGS:

- **FRANKLIN TOWNSHIP / PLN-21-00003**

Minor Subdivision in which the Applicant was proposing to subdivide into two (2) lots the property at 64 Clover Place, Somerset; Block 37.02, Lot 12, in an R-20 Zone - **CARRIED FROM APRIL 7, 2021 – with further notification required.**

Mr. Vincent Dominach, Economic Development Director, Franklin Township, 475 DeMott Lane, Somerset, NJ, came forward and was sworn in. Mr. Dominach told the Board and the public that there was a notice issue with the hearing on 4/7/2021. He then indicated that they did re-notice for that night's hear to the 200 ft. list and in the newspaper. Mr. Dominach then explained that they were before the Board that evening for a Minor Subdivision to subdivide property at 64 Clover Place into two (2) lots on a little over a 4-acre parcel. He added that Lot 12.01 would be subdivided into 2.39 acres and Lot 12.02 would be subdivided into 1.8 acres. Mr. Dominach then told the Board and public that there was only one (1) variance needed for Lot 12.02. He stated that Lot 12.02 would be fully conforming, except it had insufficient frontage on Garden Avenue. He stated that the requirement for frontage was 100 ft., and the lot has 50 ft. He then explained that the purpose of the subdivision, while not part of the Application that evening and would be heard on another evening, was for the building of a branch library for the Library Board. Mr. Dominach explained that they were focusing on the sub-division that evening to break the property that was owned by the Board of Education into two (2) lots that would include the one (1) lot the Board of Education would continue to own and merged with existing properties, with the other lot becoming the property of the Library Board.

Mr. Dominach stated that there was one (1) staff report, prepared by the Technical Review Committee (TRC), and that they will comply with all of the comments within that report.

Mr. Healey, Township Director of Planning, 475 DeMott Lane, Somerset, NJ, came forward and gave Planning testimony regarding the subdivision. Mr. Healey stated that both lots fully complied with the requirements of the zone and that the one (1) variance that was required was an existing condition. He drew the Board's attention to the exhibit on the screen, noting that Lot 12.02 had insufficient frontage on Garden Avenue (50 ft. vs. the required 100 ft.). Mr. Healey stated that since the existing lot had insufficient frontage, the newly created lot would also have insufficient frontage and would require a variance for the Minor Subdivision. He testified that, otherwise, there were no new non-conforming conditions were being created.

Mr. Clarkin, Board Attorney, reiterated from the testimony given at the original hearing that it was his opinion that it was a technical variance.

Mr. Dominach then stated that he anticipated that they would be back before the Board in a few months with a full Site Plan for the Board to review, most likely in August, giving

the public ample opportunity to ask questions and to have input. Mr. Healey added that everyone on the 200 ft. notification list that was given notice of the evening's subdivision application would also be notified of the Site Plan application.

Chairman Orsini then opened the meeting to the public. Councilman Chase seconded the motion, and all were in favor.

Ms. Annabelle Alvarez, 60 Clover Place, Somerset, NJ, came forward. Ms. Alvarez indicated that she lived a couple of lots away from the proposed subdivision. Ms. Alvarez wanted to know what would happen to the subdivision, if it were approved that evening, if the Site Plan was not approved. Mr. Healey stated that the Applicant would have to design the site in such a way that would conform to zoning requirements, storm water management requirements, grading requirements, etc. and prove that the Site Plan functions the way it should, including traffic, layout, etc. Mr. Dominach answered the question as to what would happen to the subdivision if the Site Plan were not approved. He indicated that the subdivision would not be perfected and would remain one (1) existing lot. Ms. Alvarez indicated that she was not in favor of the proposal and felt that the library in that location would impact the traffic that would be coming into the residential neighborhood.

Mr. Christopher Brosius, 28 Central Avenue, Somerset, NJ, came forward. Mr. Brosius asked for clarification regarding the frontage requirement and what was existing. Mr. Brosius stated that he hoped that the Board would deny the application because he stated that he felt that the property was too small for what was being proposed.

Mr. Clarkin, Board Attorney, explained that the deficient frontage on Garden Avenue was an existing condition. He continued by saying that, normally, when there is frontage on a street, that was the portion that would be accessed. Mr. Clarkin then explained that that was not the case here and would be the rear yard of the library lot if the subdivision was granted. Mr. Clarkin utilized the exhibit that was previously shown to point out what he was describing. He then noted that Clover Place was the access to the library lot and that the site would never be utilized through the rear portion. Mr. Clarkin further explained that that was why he called the variance required a "technical" variance.

Ms. Veronica Evanier, a Clover Avenue resident, came forward. She indicated that she would echo what the other two (2) residents had stated and that she, too, opposed the subdivision. She did not feel that there was enough time to investigate other alternative sites in the Township and had tried to contact the Library Board and the Open Space Committee herself with no luck. She also did not think the library should be squeezed into such a small space that would have detrimental effects on the existing neighborhood. Ms. Evanier then discussed an alternative location at an empty school along Rte. 27 that might be a better alternative location. She also told the Board that the open space was vital to the neighborhood.

Ms. Kirstie Jacobsen, 28 Gordon Avenue, Somerset, NJ, came forward. Ms. Jacobsen indicated that when they moved into their home 2-1/2 years ago, they were told that the small patch of property would never be sold because it was part of the school property. She told the Board that she had also observed that the land had so much wildlife living on it and felt it was an important piece of land.

Seeing no one further coming forward, Chairman Orsini made a motion to close the meeting to the public. Councilman Chase seconded the motion, and all were in favor.

Chairman Orsini made a motion to approve the Application. Councilman Chase seconded the motion, and the roll was called as follows:

FOR: Councilman Chase, Mr. Hauck, Ms. Rafiq, Ms. Rangnow, Vice Chair Brown, Ms. Schmidt, and Chairman Orsini

AGAINST: None

- **BALAJI PROPERTY SOLUTIONS, LLC / PLN-21-00007**

Mr. Francis P. Linnus, Esq., Attorney, appeared before the Board on behalf of the Applicant, Balaji Property Solutions, LLC. Minor Subdivision w/"C" Variance in which the Applicant was looking to create an additional residential building lot at 23 Wortman Street, Somerset; Block 73.01, Lot 36, in an R-10 Zone.

Mr. Linnus reminded the Board that they received approval for the exact same plan back in 2016, but as they were racing to clear up the conditions of approval, they ran out of time and were unable to record the Minor Subdivision and deed to perfect the Minor Subdivision. He indicated that the Application before the Board that evening was the same application that was approved in 2016.

Mr. David Stires, Engineer/Planner and Principal of David A. Stires Associates, 678 Rte. 202/206 North, Bridgewater, NJ, came forward and was sworn in. The Board accepted his qualifications. He testified that he and his firm prepared the subdivision plans that were before the Board that evening. Mr. Stires stated that he prepared the plans that were part of the original application in 2016. He then stated that the plans before the Board that evening were relatively consistent with what was shown in 2016, but that they did perfect some of the requirements of the original approval, including some of the impervious coverage on the lot and the installation of a fence along the right-of-way.

Mr. Stires then introduced a colorized rendering of the Minor Subdivision, dated 2/23/21. He then discussed the existing conditions, noting the existence of the old school building and a large, paved area south of the school building that had been partially removed. Mr. Stires stated that there was a lawn area in front of the existing building, with a new fence structure that was discussed in 2016. He then noted that the property was in the R-10 Zone, and presently was fully conforming.

Mr. Stires indicated that the Applicant was proposing to subdivide the lot into two (2) properties and create an existing lot for the former schoolhouse and convert it to a single-family residence. They then wanted to create a second lot to the north of that for use as a single-family residence at some future date. Mr. Stires indicated that there were three (3) original variances which are as follows:

- Lot Frontage on newly created Lot 36.02 (northern lot), having 66.06 ft. where 100 ft. was required.
- Side Yard Setback: Bilco doors on north side of schoolhouse were 4.4 ft. from the property line.
- Side Yard Setback: Stairs from the upper level that come down and touch the proposed property line. The steps were originally going to be relocated and the risers would be on the east side of the doorway. Mr. Stires indicated that they were now just proposing to remove the staircase altogether.

Mr. Stires then gave the Board the justification to grant the variances as they did back in 2016. The first thing he mentioned was the preservation of an historic structure, dating back before 1900. He then told the Board that it allowed them to remove a non-permitted use in the zone, as both the schoolhouse and the daycare were not permitted uses in the zone. Mr. Stires then stated that it also eliminated the commercial use of the property by eliminating some of the excess paved area. He then indicated that, to the extent that the new lot only had 66 ft. lot frontage, the lot area was in excess of 15,000 sq. ft., where 10,000 sq. ft. was required. He then told the Board that in the original approval, they agreed to set the new house at the same setback as the schoolhouse and all other bulk standards would be met, relative to the R-10 zoning district.

Mr. Stires then drew the Board's attention the TRC review memo, dated 4/26/21, testifying that they would comply with all unsatisfied conditions at the final approval. He told the Board that the properties would only be used for single-family residential only. Additionally, Mr. Stires told the Board that the steps to the original structure would be removed. He then noted that they received a waiver from the existing tree ordinance because of the trees along Wortman Street but would work with the Township to replace the two (2) trees that needed to be removed in order to construct the driveway. Mr. Stires indicated that those replacement trees would be planted, in some manner, along Wortman Street. In summary, he was asking again for the waiver from the tree ordinance.

Mr. Stires then discussed item #5 on the TRC report regarding whether there was a dry well on the property. He showed the Board, on the south side of the existing structure, that there was a cover for a dry well. Because they thought it would be a hazard in the future, they proposed to open it up and install clean stone if there were voids in there. He added that because they had reduced the impervious coverage on the property by about 4,500 sq. ft. from the existing parking area, he did not think that they needed a storm water management system. Because the two (2) lots would hold two (2) single-family homes, they would respectfully request a waiver from stormwater management facilities on both properties.

Mr. Stires indicated that he did not see any negative impacts to the zone plan or scheme or the public good, relative to the requested "C" variances, if they were to be granted. He told the Board that there were a number of properties, as noted by Mr. Chadwick in the 2016 hearing, that had lot frontages of 66 ft. Mr. Stires reiterated that both lots had more than the required 10,000 sq. ft. area, one with 18,000 sq. ft. and the other with 15,000 sq. ft. He then testified that, consistent with the Municipal Land Use Law (MLUL) for C-2 variances, based on engineering principles and site plan and subdivision design, the positive criteria would substantially outweigh any detriments. He noted that the Applicant was committed to attempt to perfect the subdivision and filing the subdivision deed on time should the Board approve the Application.

Councilman Chase reopened the discussion regarding item #5 in the TRC report related to what was considered a drywell on the property with a round, steel plate cover not consistent with a modern structure. Mr. Stires agreed to close off the structure if it was not a dry well and turned out to be a cistern or septic tank. He added that a machine was required to move the steel plate cover to fully investigate and would require a machine to do so since it was several hundred pounds.

Chairman Orsini noted that it looked like the Delaware & Raritan Canal Commission (DRCC) indicated in a memo, dated May 4, 2016, that the Application was exempt. He added that it looked like the expiration of that approval was just the past Monday. Mr. Linnus did not think they needed to get another approval from the DRCC since there had been no changes to the plan and no changes to the requirements, but he also did not think it would hurt to communicate with DRCC to make sure that the exemption still applied. Mr. Stires indicated that they would communicate with DRCC to make sure that the exemption still was in effect.

Chairman Orsini then asked if they would be doing any drywells that would come from the downspouts of the residences on the property and general drainage off the property. Mr. Stires reiterated his previous testimony that they were removing about 4,500 sq. ft. of impervious coverage on the property and that the new house and driveway would be of the same square footage as what was being removed. As such, he asked that they not be required to put in any storm water management systems on the site. He added that the property drained to the north, to the railroad right-of-way, a drainage feature that runs out to the west and did not flow over any other adjoining properties.

Mr. Healey suggested that the Board could make note of the drainage flow on the property in the Resolution and have the final decision made by the Engineering Dept. as to whether the requirement to include storm water management treatment should be waived or not based on the removal of the previous driveway. Mr. Hauck agreed with Mr. Healey.

Mr. Healey also reminded the Board that the properties, if subdivided, were both in excess of the 10,000 sq. ft. minimum lot size requirement for the zone. He added that if the property were split in half, they would have adequate lot frontage for both properties; however, they chose to split the property in the way they did to preserve the historic

structure already on the property and utilize it as a single-family home. He indicated for those reasons; it clearly made the request a C-2 variance.

Mr. Clarkin, Board Attorney, asked that the exhibit being shown on the screen and discussed by Mr. Stires be marked as Exhibit A-1 for the record. He also wanted to qualify Mr. Stires in the field of Planning. Mr. Stires indicated that he was a licensed professional Planner and had testified with other Boards as a Planner in the past. Mr. Clarkin then asked that the Board accept him as an expert in the field of Planning as well as Engineering. He then asked for clarification regarding the benefit of the C-2 variance request. Mr. Stires indicated that it was for the preservation of an historic structure and to eliminate non-conforming uses in the zone.

Chairman Orsini then made a motion to open the meeting to the public. Councilman Chase seconded the motion, and all were in favor. Seeing no one coming forward, Chairman Orsini made a motion to close the meeting to the public. Councilman Chase seconded the motion, and all were in favor.

Mr. Linnus gave his closing remarks and summation of the Application.

Mr. Healey suggested to the Board that the motion for any approval should be subject to the conditions of the original approval as modified by the TRC report issued for the Application.

Chairman Orsini made a motion to approve the Application with the variance for lot frontage, side yard setback variance and subject to the prior approval with the conditions outlined in the updated TRC report. Ms. Rafiq seconded the motion, and the roll was called as follows:

FOR: Councilman Chase, Mr. Hauck, Ms. Rafiq, Ms. Rangnow, Vice Chair Brown, Ms. Schmidt, and Chairman Orsini

AGAINST: None

- **AACTFR PROPERTY, LLC / PLN-21-00004**

Mr. Peter U. Lanfrit, Esq., Attorney, appeared before the Board on behalf of the Applicant, AACTFR Property, LLC. He then told the Board that they were there for Preliminary & Final Major Site Plan w/”C” Variance approval in which the Applicant was proposing construction of a building consisting of a 95,565 sq. ft. warehouse and 4,500 sq. ft. office space at 401 Cottontail Lane, Somerset: Block 517.01, Lot 8.06, in the (Business Industrial) B-I Zone.

Mr. Lanfrit indicated that when they made application, they called out two (2) variances, as follows:

- Min Front Yard Setback (Parking Lot) 50 ft. required – approximately 48 ft. proposed.
- Number of Building-Mounted Signs: One sign permitted – two (2) proposed.

He noted that they would be presenting testimony that would support the elimination of the front yard setback variance, and that other than the request for an additional building-mounted sign, they were presenting a conforming application.

Ms. Jackie Giordano, Engineer and Principal, employed by Dynamic Engineering Consultants, 1904 Main Street, Lake Como, NJ, came forward and was sworn in. The Board accepted her qualifications. Ms. Giordano entered into the record as Exhibit A-1, an aerial map of the subject property and the surrounding land uses. She briefly discussed what was shown on the exhibit, noting that the property consisted of 6.05 acres. Generally, she indicated that the site consisted of vacant land, cleared back in the 1980's, with a surrounding industrial area and a drainage ditch that existed along the western property line. She then noted that the drainage ditch existed within a County drainage easement was a regulated water, as verified by the NJDEP with a Flood Hazard verification for the property. Also identified, as per Ms. Giordano, some freshwater wetlands with their wetlands consultant, and were in the process of verifying the wetlands locations with a Letter of Interpretation (LOI) from NJDEP. Ms. Giordano then entered into the record, as Exhibit A-2, was the proposed Site Plan for the 100,125 sq. ft. warehouse building with approximately 4,500 sq. ft. of office space. She indicated that it was important to point out that the Site Plan and building layout was designed to comply with the required use standards, building setbacks, building coverage, building height and the floor ratio standards. Ms. Giordano then explained how the building would function and operate. She explained that access to the site would be provided through two (2) new full movement driveways on Cottontail Lane, separating the two driveways for the car parking area (southern-most driveway) and truck access (northern-most driveway), circulation to the rear of the site, and for loading operations. Ms. Giordano then told the Board that the wetlands were located in the existing wooded area, which would remain a wooded buffer; however, she indicated that there were wetlands that they were proposing to utilize the appropriate NJDEP wetlands permits to fill and modify as necessary for the project.

Ms. Giordano then testified that they were proposing 62 parking spaces proposed, where 59 were required by ordinance. She then told the Board that one of the parking spaces violated the minimum front yard setback requirement, only allowing for 48 ft. instead of the required minimum front yard setback of 50 ft. She stated that they would have no issue for them to modify the layout to accommodate the ordinance.

Ms. Giordano then discussed how storm water management would be handled on the site. She stated that, under existing conditions, the storm water runs uncontrolled over land to Cottontail Lane all the way to the drainage ditch in the back. She explained that they were going to continue to utilize grading patterns as much as possible. Ms. Giordano then told the Board that the storm water management design was done in accordance with the Franklin Township stormwater code, the Delaware & Raritan Canal

Commission (DRCC) and the NJDEP storm water regulations. She testified that their storm water management design was already reviewed and approved by NJDEP with a Floodwater Hazard Area permit that was required for the project. She added that stormwater runoff quantity and quality requirements would be met with a combination of above-ground bio-retention basins and an underground detention basin. Ms. Giordano told the Board that one of the bio-retention basins was located to the southwest of the property and then one (1) to the northern orientation. Additionally, she said that the underground detention system would be located under the truck loading area.

Ms. Giordano then discussed the Lighting Plan, noting that they designed the site to provide adequate light, particularly in the parking lots and driveways, for safety and security purposes. She then told the Board that they had 16 wall-mounted fixtures located around the building and eight (8) light poles located around the parking and loading areas. Ms. Giordano then asked for two (2) design waivers from the ordinance for lighting. In the parking area, she indicated that those were exceeding the average minimum uniformity ratio of 5, whereas 13.4 was provided. Also included in the waivers was for exceeding the maximum to the minimum uniformity ratio of 20, whereas 40 was provided. She then noted that the lights would be shielded in accordance with the ordinance requirements and that they would be providing LED light fixtures, which were considered high efficiency, clean light fixtures. Although Ms. Giordano stated that they were unable to model the lighting onto the adjacent warehouse property on Cottontail Lane, she did not see any detriment to the character of the neighborhood or any adverse impact to the industrial area.

Ms. Giordano explained that in addition to having the loading docks in the rear of the building, there would also be a 10 ft. x 20 ft. trash/recycling enclosure located there that would be screened with a board-on-board fence that would not be visible from Cottontail Lane.

Ms. Giordano then drew the Board's attention to the Landscaping Plan. She indicated that with the landscaping design, they would be removing some existing vegetation with the street proposed improvements while providing supplemental plantings and screenings consistent with the aesthetic that existed within the industrial corridor of Cottontail Lane. In accordance with the replacement requirement, Ms. Giordano stated that there would be a deficit of 525 trees in which they would be proposing to address with a payment in lieu to the Township Tree Fund. She then told the Board that there would be some landscaping enhancements in the front of the building along Cottontail Lane as well as fully vegetated within the bio-retention areas on the property. She added that the rear of the property was to remain a wooded buffer.

Ms. Giordano indicated that they could comply with 90% of the comments contained in the staff reports. She noted the report from the Traffic Safety Bureau, dated April 6, 2021, that she indicated they could comply with. She then told the Board that she reviewed the Fire Prevention memo, dated April 5, 2021, met with the Fire Prevention Director, Mr. Hauss, and was confident that they could work with the department to address the comments. Ms. Giordano then told the Board that she reviewed the

Planning report, dated March 30, 2021, and discussed the topic of non-automotive modes of transportation, and she stated that the Applicant would be willing to comply by providing bike racks on-site. Related to the request for the provision of sidewalks, Mr. Lanfrit indicated that the aerial map showed that there were no sidewalks in the immediate vicinity; however, if the Board wanted them to provide them, they would comply. Ms. Giordano then addressed a request to provide electric auto charging stations, indicated that they could provide the electric conduit for two (2) charging stations. Ms. Giordano then added that they would be providing directional signage on-site, and the signage would comply with the Township ordinance.

Finally, Ms. Giordano addressed the Engineering report from CME Associates, dated April 22, 2021. She testified that other than the issue of providing sidewalks, they would be able to comply with all other engineering comments.

Mr. Larry Valenza, Architect, employed with M & H Architects, 12747 Olive Boulevard, St. Louis, MO, came forward and was sworn in. The Board accepted his qualifications. Mr. Valenza displayed an exhibit that was included in the original plan set, Sheet PP2, dated 1/21/2021 and was marked into evidence as Exhibit A-3. Mr. Valenza then described the proposed building, including the height, the size, and the building materials. He noted that the building would be constructed of painted concrete panels in various shades of gray, helping to reduce the scale of the large building. Mr. Valenza added that there were windows on all four (4) elevations that provided a natural rhythm and natural daylight within the building.

Mr. Valenza then drew the Board's attention to the two (2) wall signs, one (1) facing south above the entry doors and one (1) facing east above the office area. He did add, however, that they were considering moving the second sign to the east facing side as it showed better. Mr. Valenza then spoke about the monument sign at the driveway and was design to match the architecture of the building. He then testified that all signs would meet the requirements of the zone as it related to size. Mr. Valenza stated that they were just asking for a variance to one additional wall sign beyond what was allowed in the zone. Mr. Valenza then entered into the record as Exhibit A-4 a colorized rendering of the proposed building. Utilizing Exhibit A-4, Mr. Valenza then showed the Board the proposed locations of the wall-mounted signs on the building, with one facing south and the other facing east toward Cottontail Lane. He added that the reasoning for the request for two (2) building mounted signs instead of the one (1) that was allowed by ordinance was that no matter what direction that someone approached the building on Cottontail Lane, a sign would be visible. Additionally, he indicated that there was the potential for the proposed warehouse to be a two (2)-tenant building, in which case each tenant would use one (1) one of the signs.

Mr. Valenza then told the Board that the mechanicals for the building would be located on the roof one column gridline in from the perimeter of the building. Along with the use of the parapets as screening, they would not be visible from the roadway. He noted that the roof could accommodate solar panels, and they would not be visible from the roadway either.

Councilman Chase then indicated that Mr. Hauss, Fire Prevention Director, had asked for a continuous driveway around the building, and that he agreed that there should be one. He then noted that there was an area of impervious surface at the southwest corner of the property and did not seem to have any function and was behind the bio-retention basin. The Councilman suggested that the bio-retention basin should be moved further back, eliminating that apparently useless paved area so that there can, in fact, be a continuous driveway around the building for fire safety purposes.

Ms. Giordano brought up Exhibit A-2 that showed the Site Plan on the screen again. She indicated that the impervious surface that Councilman Chase spoke of actually allows access to the loading dock positions and allows a tractor trailer to be able to back up in that location. She stated that her conversations with Mr. Hauss were to make certain that they were taking the right measures to make sure it was a safe site for fire and other types of emergencies, providing him with some circulation plans to ensure that the fire truck could access the back of the site and sufficiently turn around, if necessary. She then testified that they were going to be making some revisions to the plan to provide some additional fire lane striping and signage per his request. A discussion ensued.

Councilman Chase then asked if there were any substantial, existing trees on the site along the Cottontail Lane frontage that could be saved rather than taking them all out and planting new trees. Ms. Giordano agreed with the Councilman, indicating that they thought it would be most appropriate to preserve existing trees in the most environmentally sensitive areas. She also added that the site was historically cleared back in the 1980's, and based on her view, she didn't think there were any significant mature vegetation along the front of the property, and they wanted to provide the grading necessary to allow for safe access to the site. A discussion ensued. Mr. Lanfrit offered that they can take a look at what mature trees were existing on the property, and whatever trees could be saved, they would do so.

Councilman Chase then opened a discussion regarding the signage on the southwest side, he noted that it looked like a good portion of the sign would be obscured from view by the office portion of the building and would, therefore, not be very functional. He then drew attention to the monument sign by the truck entrance shown on the plans, but the sign was shown by the car entrance in the rendering. He thought the monument sign should preferably be placed at the truck entrance. Ms. Giordano indicated that their preference was to have the monument sign by the car entrance, which was the first entrance. She added, however, that they would have some directional signage on-site specifically to denote where the truck entrance would be, as pointed out in the Traffic Safety Bureau memo. Mr. Lanfrit offered to have a smaller, second sign at the truck entrance to include the address and "truck entrance" and without adding the name of the company at that location. A discussion ensued.

Councilman Chase then expressed his concern that the Engineering report included some 52 comments on the storm water management chart and would really like to see a plan that was revised to satisfy those comments. He pointed out some discrepancies

between what was on the Site Plan and what was required by the Engineer's review. Ms. Giordano addressed the discrepancy, noting that it was really just involving the detail on the plan. She then told the Board that they had reached out to CME to address their comments and were confident that could satisfy all of their comments. A discussion ensued regarding the underground detention basin, and Ms. Giordano stated that they had a concrete support system proposed to support the loading dock area in that location.

Chairman Orsini interjected that any approval would be subject to satisfying all staff reports and the engineer's reports and that if any changes that would significantly change what they were reviewing that evening, they would have to come back before the Board to present those. A discussion ensued. Mr. Lanfrit indicated that they had several discussions with staff and the engineers, and if there were going to be significant changes to the plan that was submitted, they would have revised the plans before presenting that evening.

Chairman Orsini had some comments, and indicated that he would encourage, to the extent possible, to plant as many trees on-site as possible as opposed to the Shade Tree Fund contribution. He then asked why the wetlands would need to be filled or modified if that area was going to be left in its wooded state. Ms. Giordano testified that they were keeping the majority of the stream corridor undisturbed, but for purposes of drainage, they were going to have a controlled system that would require permits for wetlands and flood hazard regeneration. A discussion ensued.

The Chairman then opened a discussion regarding the lighting on-site, indicating that a condition of approval should be included that there would be no light spillage onto other properties. He then indicated that, regarding the design waivers, he did not see why the lighting needed to be so bright. In that vein, he wanted to make sure that the lighting was shielded, downward facing, and limited to the site. That being said, the Chairman stated that he had not heard an explanation for why the lighting needed to be so bright in the one area on the site. Ms. Giordano stated that the lighting the Chairman was speaking of was up against an industrial parking area in an industrial zone and did not see any detriment to the neighboring property in that regard. A discussion ensued. Ms. Giordano indicated that they could look into that issue, and the Chairman asked that they provide some justification for why the lighting needed to be brighter in the particular areas pointed out on the plan.

Chairman Orsini then opened a discussion regarding the provision of sidewalks, agreeing that there would be no opportunity for any connections in the future since the area was already built out. However, the Chairman asked for a sidewalk contribution instead so that they could be placed elsewhere where they were needed to fill in gaps.

Mr. Clarkin, Board Attorney, asked for follow-up on the light illumination issue from Ms. Giordano. He asked if the waiver were granted, would it affect public safety in any way. Ms. Giordano answered in the negative. He then moved on to the issue of the electric vehicle charging stations, asking if the Applicant would also be installing the actual

stations along with the electrical conduit as was testified to. Mr. Lanfrit stated that their thought was that if the charging stations were not used, they would be taking parking spaces that would not be able to be utilized. He added that once a tenant or tenants came into the building, they would provide the actual stations if they were requested.

Mr. Clarkin then pointed out that they did not have a Planner testify to justify the variance; however, it was nominal in nature and that one could use their common sense in deciding whether to grant it or not regarding the extra signage on the building.

Mr. Healey gave his opinion regarding the extra signage, noting that if they adjusted the architecture and put a door on the side of the building facing the road, they would not need that variance because they would be allowed to have a sign on the front and the side of the building.

Councilman Chase stated that he felt they should put in at least one charging station and have a conduit available for a second station. He then asked if there was any consideration for putting porous pavement in the car parking area to reduce the run-off as well as consideration given to having a green roof, which would reduce the heating and cooling costs. Mr. Lanfrit answered by stating that they were well under the impervious coverage requirements of the zone and had provided a storm water management system to handle all of the runoff from the site. He then addressed the question of providing a green roof, noting that they felt it more appropriate to offer the accommodation for solar panels instead since the runoff from the roof was already being handled by the storm water management system.

Chairman Orsini stated that he agreed with Councilman Chase that they at least include one (1) functional charging station on-site to begin with the conduit to serve others in the future. Mr. Lanfrit indicated that they would have no problem with providing that.

Chairman Orsini then opened the meeting to the public and was seconded by Councilman Chase. All were in favor. Seeing no one coming forward, the Chairman made a motion to close the meeting to the public. Councilman Chase seconded the motion, and all were in favor.

Mr. Lanfrit gave his closing summation.

Councilman Chase made a motion to approve the Application, with the various conditions that have been agreed to during the hearing, approval of the Variance for two (2) signs, and compliance with all staff reports. Chairman Orsini seconded the motion, and the roll was called as follows:

FOR: Councilman Chase, Mr. Hauck, Ms. Rafiq, Ms. Rangnow, Vice Chair Brown, Ms. Schmidt, and Chairman Orsini

AGAINST: None

COMMITTEE REPORTS

No reports were discussed.

WORKSESSION/NEW BUSINESS:

No work session/new business was discussed. Chairman Orsini discussed his conversation with Mr. Thomas that it had been a long time since they had a work session and that there were a few things that had come up in the last few months and that they wanted to be more proactive than reactive. He mentioned the point that there were a lot of warehouse applications come before the Board and were they doing all they could to repurpose or allow planning and zoning to repurpose what they already had existing, to fill office buildings that would never be filled again with employees as they could work remotely. Additionally, he spoke about whether they were doing all they could in the design portions of the ordinance to encourage things that would be needed more so in the future than they were now, such as electric car charging stations, and planning for a post-pandemic way of life. He stated that that would include flex office space.

The Chairman stated that he had a conversation with Mr. Healey, Planning Director, about having a work session at a light meeting. He asked the Board members to think about items that were important to them in terms of that kind of planning so that the Board could discuss those issues in the future. Mr. Healey stated that he thought they might have an opportunity to have a work session in June.

EXECUTIVE SESSION:

The Board did not enter into an Executive Session that evening.

ADJOURNMENT:

Chairman Orsini made a motion to adjourn the regular meeting at 9:35 p.m. Mr. Hauck seconded the motion, and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
June 25, 2021