

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

**REGULAR MEETING
April 19, 2023**

The regular meeting of the Township of Franklin Planning Board was held at 475 DeMott Lane Somerset, NJ, 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: Erika Inocencio, Jennifer Rangnow, Charles Brown, Robert Thomas, and Rebecca Hilbert, and Chairman Orsini

ABSENT: Councilman Anbarasan, Theodore Chase, Sami Shaban, Mustapha Mansaray, Meher Rafiq and Chairman Orsini

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

RESOLUTIONS:

- **Special Counsel**

Chairman Orsini explained that the Planning Board Attorney, the firm of Clarkin & Vignuolo, had a conflict of interest with being able to preside over the B9 Schoolhouse Warehouse Application coming up. The Zoning Board Attorney was presently taking an extended leave from his firm and won't be available. The Chairman explained that the Board had a biography of Mr. Eric Martin Bernstein, the Planning Board Attorney in Hillsborough, NJ and very familiar with warehouse issues and was facing some of the same challenges there that they were in Franklin Township. He then spoke about Mr. Bernstein's qualifications and 40 years of experience and for those reasons would like to appoint him as the Planning Board's Special Counsel.

Chairman Orsini made a motion to appoint Mr. Eric Bernstein as Special Counsel for the B9 Schoolhouse Warehouse Application. Mr. Thomas seconded the motion, and the roll was called as follows:

FOR: Ms. Inocencio, Ms. Rangnow, Vice Chair Brown, Mr. Thomas, Ms. Hilbert, and Chairman Orsini

AGAINST: None

PUBLIC COMMENTS:

Chairman Orsini then made a motion to open the meeting to the public for General Planning discussion. The motion was seconded by Mr. Thomas, and all were in favor.

Ms. Kiki Anastasakos, 3204 Enclave Circle, Canal Walk, Somerset, NJ, came forward. She indicated that she was a member of the Citizens Warehouse Action Group. Ms. Anastasakos then declared that she would like to share her thoughts on the Township's Master Plan and referred to one of the Land Use Plan elements in the 2016 revised Master Plan. She additionally then spoke about the Environmental Resource Inventory Resource section of the Master Plan that encouraged the conservation of open space, rural character, scenic vistas, sensitive environmental areas and farmland. She indicated that they both revolved around warehouses and walking the fine line between economic development, quality of life and maintaining the character of the Township. She spoke about the senior citizen population in the same area that was being utilized for economic development.

Ms. Jan Brant, 22 Bryant Court, Somerset, NJ. Ms. Brant asked whether there was some kind of program that was enticing warehouses to come to the area to place their developments. She received an answer in the negative.

Seeing no one else coming forward, Chairman Orsini made a motion to close the public portion of the meeting. The motion was seconded, and all were in favor.

HEARINGS:

- **SUMMERFIELDS AT FRANKLIN, LLC / PLN-23-00003**

Mr. Peter U. Lanfrit, Esq., Attorney, appearing before the Board on behalf of the Applicant, Summerfields at Franklin, LLC. Amended Site Plan in which applicant is applying to construct landscaping and signage in lieu of constructing the rustic mill feature that was previously approved at 1101 Randolph Road, Somerset; Block 516.09 Lot 55 in zone PAC.

He noted that the project was approved back in 2015, with a design feature at the corner consisting of certain structures. In order to construct those structures, the Board approved variances. As time went on, Mr. Lanfrit stated that the Applicant built the center and was back before the Board in 2018 when the Lightbridge Academy came in. Since that time, the Applicant had decided to replace the originally proposed structure with landscaping and signage.

Mr. Jeffrey D. Reynolds, Landscape Architect and Principal of the Reynolds Group, 18 Seminole Circle, Flemington, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Reynolds came forward to explain what was approved in 2015 and what they were proposing now. He showed the drawing of the rustic structure and

sign that was surrounded by landscaping that was originally approved. Mr. Reynolds indicated that the Applicant changed their minds about that since it would block the shops in the shopping center from the whole intersection of Randolph Avenue and Schoolhouse Rd. Instead, Mr. Reynolds stated that they were now proposing to add landscaping and gave details of the types of trees and other plantings that would be included. The colorized plan for the landscaping and sign was marked into the record as Exhibit A-1. Mr. Reynolds also indicated that they would have to post a maintenance bond to ensure that the trees/plantings would mature and grow as they were supposed to. He then showed a colorized version of the proposed sign (4' x 8' in size and approximately 4' high) and marked it into evidence as Exhibit A-2. He noted that there would be two (2) ground-mounted signs that would shine up on the sign. Mr. Reynolds then indicated that they already had a pylon sign that identified the tenants at the Schoolhouse Rd. area and that there was no need to do the same there.

Vice Chair Brown said that he thought the sign and landscaping was nice; however, he felt the original proposal with the rustic structure and landscaping protected the view of the parking lot from the roadway. Mr. Reynolds stated that with the new design, they were able to incorporate one (1) additional tree and 50 more shrubs into the plan.

Ms. Hilbert then asked if the bamboo being proposed was of one of the invasive species varieties. Mr. Reynolds indicated that the bamboo being proposed was called Heavenly Bamboo and was a mounding variety and mounds on top of itself. He added that it is not a variety that would spread.

Mr. Thomas made a motion to open the hearing to the public, and the motion was seconded. All were in favor. Seeing no one coming forward, Chairman Orsini made a motion to close the meeting to the public. The motion was seconded, and all were in favor.

Chairman Orsini made a motion to approve the Application, to incorporate the design change, with the sign as shown in Exhibit A-2 rather than the one provided in the packet and the landscaping as shown with the performance bond to maintain it. Vice Chair Brown seconded the motion, and the roll was called as follows:

FOR: Ms. Inocencio, Ms. Rangnow, Vice Chair Brown, Mr. Thomas, Ms. Hilbert,
and Chairman Orsini

AGAINST: None

- **IDIL DAVIDSON, LLC / PLN-23-00004**

Mr. Paul Conciatori, Esq., Attorney, appeared before the Board on behalf of the Applicant, IDIL Davidson, LLC. He stated that the proposal was for Preliminary & Final Major Site Plan approval as well as Conditional Use Approval w/”C” Variances in which the Applicant wanted to construct a 201,610 sq. ft., 45-foot tall, warehouse at 195-215 Davidson Avenue, Somerset; Block 502.02, Lots 37.01 & 38.01, in the B-I Zone.

Mr. Conciatori indicated that the site currently houses an old, dilapidated hotel building, along with a smaller, manufacturing-type building. He then told the Board and public that the proposal was to demolish the current structures and replace those with a new 201,610 sq. ft. warehouse. He indicated that they were only seeking one (1) “C” variance for the length of the loading berth. Mr. Conciatori explained that the Application was under the Conditional Use Ordinance that was adopted in the summer that had two (2) standards; one (1) for the site being serviced by public water and sewer and (2) that the nearest residentially zoned property needed to be no closer than 500 ft. on the same side as Route 287. He then testified that the property was 3,000 ft. from any residential property and was surrounded by commercial/industrial right up against Route 287. He noted that when the Application was first filed, they had requested an impervious coverage variance, but as part of the review and the Township’s professional reports, they reduced the parking and impervious coverage to be compliant within the maximum limit. He noted that the proposal before the Board tonight also included what the fire official requested in the form of a 24 ft. wide, paved access drive. Per the Township Planner’s report, they were now including landscaping within the parking area as a result of removing some impervious parking areas on the site. He also stated that they would be constructing a sidewalk along their frontage on Davidson Avenue. Mr. Conciatori then spoke about a few comments in the CME Engineering report related to monument signs, and he indicated that they had modified the signage to conform. He added that they modified the vertical height of tenant signs to conform as well. Mr. Conciatori then told the Board that they were then left with only one (1) variance being requested for the length of the loading dock, as it needed to be double the length of the largest truck that would access it. He indicated that they then would require 147 ft. and theirs was proposed at 130 ft., which was a common industry standard. Mr. Conciatori then stated that there was also a request for the granting of an easement for a portion of a water line that was currently on the property that did not currently have an easement. He then indicated that they would be providing that easement. Mr. Conciatori testified that they would be doing physical work in the field to identify where the water line was specifically located on the property.

Mr. Justin Burns, Northeast Market Officer, IDI Logistics, 90 Castle Hound Court, Princeton, NJ 08540, came forward and was sworn in. He gave the Board a description of the company and some background. Mr. Burns pointed out the reasons that the site was uniquely suited for the proposed use, including the close proximity to a major highway system, the opportunity to redevelop the vacant hotel site, surrounded by other commercial uses and the lack of proximity to residential properties. Mr. Burns then described the size of the building they were proposing as a 201,610 sq. ft.

warehouse/distribution building. He stated that they were planning on leasing to a single tenant but was designed to accommodate two (2) tenants. He then confirmed that they had withdrawn the impervious coverage variance, with the calculation of that measurement to include the construction of the 24 ft. wide emergency lane requested by the fire official. Mr. Burns also confirmed that there would be no variance required for the monument sign and it would conform along with the height of the tenant signage. Mr. Burns then also confirmed that 130 ft. length for a loading dock was an industry standard and there hadn't been any problems at any of their other sites. He then confirmed that although there were no sidewalks along Davidson Avenue, they had agreed to construct a sidewalk along their frontage and would connect that to a sidewalk that went into the site as well. Mr. Burns then stated that he would grant the easement for the Township water line on the site and that it would be constructed solar ready and would also be placing solar arrays. He then indicated that every building they had in New Jersey had LEED Certification, as will the subject building, and they would also be compliant with providing EV charging stations on their site.

Vice Chair Brown then opened a discussion regarding how the typical employee in their other locations get to work. Automobile and bus commuting was discussed.

Mr. Alex Lomei, Professional Engineer, employed with Boler Engineering, 30 Independence Road, Suite 200, Warren, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Lomei then distributed 11" x 17" colorized renderings of his exhibits. He entered into the record as Exhibit A-1, the aerial exhibit of the proposed property. He then detailed the surrounding land uses to include industrial and office. Mr. Lomei then detailed the conditional use standards that had been discussed earlier and for which they comply. He then described the current conditions, including the vacant six(6)-story hotel building (approx.. 75-85 rooms) and an industrial use building.(23,628 sq. ft.) with a total of three (3) access points along Davidson Avenue (2 for the hotel and 1 for the industrial building).

Mr. Lomei then entered into the record as Exhibit A-2, the colorized version of the submitted Site Plan, while Mr. Conciatori distributed the hand-outs to the Board. Mr. Lomei then told the Board that he had an alternative plan to show the Board that evening that was reflective of the changes that had been described by Mr. Conciatori based upon discussions with the Township professionals. He entered into the record as Exhibit A-3, the Alternative Site Layout Redline Plan, while Mr. Conciatori distributed the associated hand-outs to the Board. He noted the changes that were made to the original submission that were marked in red. Mr. Lomei then told the Board that they would be eliminating the 12 trailer parking spaces in the northwest corner. He then showed the Board the 24 ft. wide emergency fire lane that the fire official wanted shifted slightly to the left (west) and shown on the updated plans to get a centerline distance from their fire access lane of 45 ft. from the building. Mr. Lomei then told the Board that they were planning on reducing the number of car parking spaces from 134 parking spaces to 109 parking spaces to the south of the building, a reduction of 25 parking spaces and more than the required minimum of 84, to allow for some landscaping within the parking lot islands. He then gave the Board that the new calculation for impervious

coverage, stating that it would not be 59.8% to comply with the maximum 60% requirement, inclusive of the fire lane. Mr. Lomei then entered into the record as Exhibit A-4, the Alternative Site Layout Plan, that shows what would actually be on the site, while Mr. Conciatori again distributed the hand-out to the Board for their edification throughout the remainder of the hearing. Mr. Lomei testified that the parking lot would include six (6) ADA parking spaces (two(2) to be van accessible and accessible to the building as well) and four(4) EV parking spaces located along the east and west sides of the southern side of the building in the parking area.

Mr. Lomei then indicated that they were proposing a concrete sidewalk along the south side of the building to service the car parking spaces and provide access to the building as well as adding a concrete sidewalk along the frontage of Davidson Avenue and a sidewalk allowing access from Davidson Avenue into the site to tie in with the sidewalk along the south side of the building. He testified that they would always maintain under the maximum allowed for impervious coverage of 60%, even if they had to remove parking spaces as they were more than compliant in providing the required car parking spaces. He added that they would be eliminating the 12 trailer parking spaces entirely, as indicated both by Mr. Conciatori and Mr. Burns.

Mr. Lomei then drew the Board's attention to the two (2) ingress/egress access drives into the site from Davidson Avenue. He noted that the northerly driveway would be for truck access and maneuverability within the truck court and the southerly driveway would be for access to the car parking lot. Mr. Lomei indicated that they would be adding directional signs within the site as requested in the Township professionals' reports. He then indicated that they were proposing two(2)-way circulation around the north and south sides of the building for car and truck access, respectively and the emergency access drive along the rear of the building on the west side.

Mr. Lomei then discussed the variance being requested for the 130 ft. long truck bed vs. the required 147 ft length. He then entered into the record as Exhibit A-5, Alternative Site Layout Plan with a WB-67 Truck turning radius, while Mr. Conciatori distributes the associated hand-out to the Board in support of the request for a variance for the shorter 130 ft. truck berth. He did indicate that he had spoken to the Township Engineer (CME) in regard to this provision in support of the variance. He then noted that the next exhibit, Exhibit A-6, Alternative Site Layout Plan with fire truck turning radius and maneuverability, would confirm and support those movements on-site.

Mr. Lomei then drew the Board's attention back to Exhibit A-2, noting that they were proposing a monument sign (less than 100 sq. ft. inclusive of the base of the sign) for the site near the southerly driveway and would comply. He then discussed the allowed two (2) tenant signs, with each being less than 100 sq. ft. and vertical dimensions of less than 2 ft. in height assuming multiple tenants and less than 4 ft. in height for one (1) single tenant. He indicated that they would comply in either case. He testified that one (1) tenant sign would be placed on the eastern façade facing Davidson Avenue and another on the southerly façade near the potential second tenant's office space.

Mr. Lomei then testified that there was a potential wetland on site in the southwest corner of the property. He stated that they did have an application in to the NJDEP as they intended to fill in that wetland with regrading, fire lane, bio-retention basin, etc. and were awaiting their LOI (Letter of Interpretation).

Chairman Orsini reminded the Applicant and the public that should they act favorably on the Application, the approval would be contingent upon receiving outside agency approvals as well.

Mr. Lomei then discussed the storm water management that was planned for the site, noting that it was designed to the NJDEP standards and regulations as well as those of the Delaware & Raritan Canal Commission's (DRCC), which he indicated were slightly different. The plan included three (3) bio-retention basins, according to Mr. Lomei, with one(1) along the frontage, one (1) in the northwest corner of the property as well as one (1) in the southwest corner. He noted that they were decreasing motor vehicle surface area by about 1.77 acres.

He then discussed all of the utilities associated with the project, and agreed to comply with all of the requirements of the Fire Dept. for water connections, etc. He then discussed the water line easement, noting their efforts to exactly locate the water line on-site. He discussed not including any landscaping within the easement area.

He then discussed the extensive Landscaping Plan, with 272 trees and 705 shrubs proposed on-site.

Mr. Lomei then drew the Board's attention to the Lighting Plan that included a combination of LED building-mounted lights and area lights, with shields on any that would spill light onto a neighboring property..

Mr. Lomei then discussed the Township professional's reports, starting with CME's Engineering report, dated March 13, 2023, which he indicated they could comply. He noted that there were a few technical comments that they could work out with the Township Engineer. He added that there was a request to make the southern driveway perpendicular as opposed to its current configuration, so he indicated that they would comply.

Mr. Lomei then went on to discuss the Township's Planning report of March 2, 2023. He stated that they could comply. He did indicate that there was a comment regarding the inclusion of bike racks and stated that they could add those in conjunction with the approval of the location with Mr. Healey.

Mr. Lomei then addressed the Fire Prevention report of March 14, 2023, and can comply with the comments.

Mr. Lomei indicated that there were no comments from the Health Dept. and the Environmental Commission, dated February 7, 2023, asked for six (6) EV parking

spaces on site, but the State statute required four (4) EV parking spaces, due to the number of parking spaces on-site. He also stated that a recommendation to utilize porous pavement was requested; however, with the reduction of impervious coverage, and the inclusion of three (3) bio-retention basins on site for water quality, they were not proposing porous pavement at that time.

Mr. Lomei then indicated that there was no comment from the Police/Traffic Safety Division. He indicated that they would comply with the comments in the March 27, 2023 Sewerage Authority letter.

Mr. Lomei then addressed the outside agency's comments, noting that a lot of the comments in the DRCC letter hinged on the location of a stream corridor buffer, and he stated that they've requested the DRCC to get plans for the adjacent property that showed the location of the stream corridor and the 100 ft. buffer area that was not located on the proposed site. He also indicated that they would comply with any requests from them.

Mr. Lomei indicated that they had received confirmation from the Union Soil Conservation District and can submit that to the Board. He then noted that Somerset County granted an exemption from the Application.

Mr. Healey asked if they were planning to include "No Idling" signs, and Mr. Lomei indicated that they could comply.

Mr. Healey asked if they could move the bio-retention basins over to the right as well since they've removed the 12 truck parking spots and moved the fire emergency lane in order to save natural trees on the site. Mr. Lomei said that it was certainly something they could explore, depending on the exact location of the fire emergency lane. A discussion ensued related to possible language included in any Resolution related to limiting the area of disturbance.

Vice Chair Brown stated that he thought they could have found a better way to locate the building on the site in such a way that hides some of the truck parking in the rear. He suggested the use of a "green" wall on the side that faces Davidson Avenue. Mr. Lomei then discussed the extensive Landscape Plan and looking into a "green" wall.

Mr. Claudio Breda, Architect & Senior Project Manager, Ware Malcomb, 110 Edison Place, Suite "E" Newark, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Breda then provided the Board with information regarding the floor plan showing how it would be laid out should there be two (2) tenants in the future. He then noted the 32 dock doors and two (2) drive-in ramps on each corner of the building. He discussed the building materials that would be utilized. Mr. Breda then spoke about the roof plan, noting that it would be solar-ready on a very simple roofline with all of the rooftop mechanicals would be pulled away from the edges and would not be visible from the street level. Mr. Breda then moved on to the elevations, noting a two-toned gray combination with the darker color at the base. He indicated that they would utilize blues

for the entrance areas to the office spaces. He then showed a building rendering that showed what it would look like, noting that there were various reveals to break up the scale of the building. Mr. Breda then showed a video clip of the property after construction. He then showed slides of the various signs that would be used throughout the site. Vice Chair Brown had a discussion with Mr. Lomei related to his suggestion of using a “green” wall to shelter the loading area from the street. Vice Chair Brown clarified that he would be looking for an extension off of the building with plantings attached to it. A discussion ensued among the Board and Mr. Breda opened a discussion about the use of color to enhance the building on the side that faced Davidson Avenue and still keeping to the branding color scheme. Mr. Breda stated he would work to enhance that side of the building.

Mr. John Leoncavallo, Planner, 388 Washington Road, Suite E, Sayreville, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Leoncavallo gave testimony in support of the requested variance for shorter truck berth of 130 ft. vs. 147 ft. He noted that the use was conditionally permitted in the zone, the project complied with all conditions such as the distance from residential and water/sewer availability as well as conforming to all bulk requirements and parking requirements. He then justified the variance for truck berth length under the flexible “C” variance where the benefits outweigh the detriments. Mr. Leoncavallo stated that the project will revitalize and repurpose the land and the loading dock size promoted efficient land use and was consistent with industry standards all throughout the United States. He then indicated that all the above benefits support elements of the Municipal Land Use Law (MLUL). Mr. Leoncavallo indicated that the provision of truck turning templates demonstrate that the dock size was adequate and that the on-site flow and operations would be safe and efficient. Finally, he testified that relief can be granted without substantial detriment to the public good or to the zone plan.

Chairman Orsini made a motion to open the meeting to the public for comments. Mr. Thomas seconded the motion, and all were in favor.

Ms. Kiki Anastasakos, 3204 Enclave Circle, Canal Walk, Somerset, NJ, came forward. Ms. Anastasakos was pleased to hear about the LEED Certification and asked what level of LEED Certification they were going to seek and the type of LEED measures that they would take. Mr. Burns indicated that they seek the highest LEED Certification possible and include such things as bike racks, EV charging stations, redeveloping property, etc. Mr. Burns explained IDI Logistics’ philosophy about installing solar. Ms. Anastasakos asked how many employees would be employed. Mr. Burns discussed the type of operation the warehouse would more likely employ, indicating that the number of employees would depend upon the tenant. He stated that it was his estimation that they would have very little automation in the proposed warehouse. Ms. Anastasakos then asked about bussing offerings, and Mr. Lomei spoke about the DASH and the CAT-1R bus shuttles provided by Somerset County that go up and down Davidson Avenue.

Ms. Jan Brant, 22 Bryant Court, Somerset, NJ, came forward. Ms. Brant asked for the height of the proposed building, and Mr. Lomei indicated that it was a one (1)-story building at 45 ft. high. She then asked about what type of warehouse would they consider the proposed, and Mr. Burns stated that it was a “last mile” distribution center and have racking and sometimes floor stacking, but that it was mostly concerned with getting products in and out to their destinations. Ms. Brant then opened a discussion regarding their Traffic Study and what type of warehouse they based their study on. Mr. Lomei discussed that the specific use would determine that. Mr. Conciatori indicated that the warehouse was a permitted, conditional use in the zone. A discussion ensued regarding the land use laws that govern. Ms. Brant then opened a discussion regarding the height of the building, and Mr. Burns stated that the 45 ft. height was an industry standard and allowed for the racking necessary for the operation. Ms. Brant then asked if the operation would be 24 hours per day, and Mr. Burns answered in the affirmative, stating that they work off-peak hours as to not intermingle with the travelling public. Mr. Conciatori stated that the size of the building would not allow the warehouse to be a high-volume fulfillment center. Ms. Brant then discussed how much wetlands would be disturbed, and Mr. Lomei indicated that it would be about 12,000 sq. ft. in the southwest corner of the property. A discussion ensued about a permitted use, and Board Attorney, Mr. Vignuolo stated that a Traffic Study was immaterial because warehouses were permitted uses in the B-I Zone. The Board discussed using local traffic data, going forward. Chairman Orsini stated that he felt that the location was about the best location for a warehouse with its close proximity to Route 287.

Mr. Alex Strauss, 285 Hazlitt Way, Somerset, NJ, came forward. Mr. Strauss was concerned that the truck traffic would be utilizing the driveway nearest to Atrium Drive and wasn't there a concern that there would be conflict there, especially having to make a left-hand turns out to get to the Route 27. He then asked if the driveways would be widened for trucks to enter and exit, and Mr. Lomei answered in the affirmative, to allow trucks to make appropriate turns.

Seeing no one further coming forward, Chairman Orsini made a motion to close the public portion. The motion was seconded and all were in favor.

Mr. Thomas made a motion to approve the Application, with variance, subject to all the terms and conditions that were discussed, specifically for the Applicant to work with staff to see if they could move the disturbance in the rear of the site forward. Additionally, to include the green wall discussed during the hearing. Chairman Orsini seconded the motion, and the roll was called as follows:

FOR: Ms. Inocencio, Ms. Rangnow, Vice Chair Brown, Mr. Thomas, Ms. Hilbert, and Chairman Orsini

COMMITTEE REPORTS:

There were no Committee Reports discussed.

WORK SESSION / NEW BUSINESS:

There was no Work Session or New Business discussed.

EXECUTIVE SESSION:

The Board did not enter into Executive Session.

ADJOURNMENT:

Mr. Thomas made a motion to adjourn the meeting at 9:58 p.m., and the motion was seconded. All were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
May 30, 2023