

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

**REGULAR MEETING
August 2, 2023**

The regular meeting of the Township of Franklin Planning Board was held at the Board of Education Building located 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: Councilman Anbarasan, Theodore Chase, Erika Inocencio (arrived at 7:39 p.m.), Jennifer Rangnow, Robert Thomas, Rebecca Hilbert, and Chairman Orsini

ABSENT: Sami Shaban, Mustapha Mansaray, Charles Brown, and Meher Rafiq

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

MINUTES:

RESOLUTIONS:

- **The Foundation of the Wilf Campus / PLN-22-00016**

Mr. Thomas made a motion to approve the Resolution, as submitted. Councilman Anbarasan seconded the motion, and the roll was called as follows:

FOR: Councilman Anbarasan, Dr. Chase, Ms. Rangnow, 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, not related to any hearing that had its own hearing that evening. Mr. Thomas seconded the motion, and all were in favor.

Ms. Robin Suydam, 54 Skillman Lane, Somerset, NJ, came forward. She asked the Planning Board to please continue to consider green roofs overall and indicated that the State of New Jersey had just passed the new Inland and Floodwater regulations. Ms. Suydam then indicated that the Township had one (1) year to write their own ordinance to match the new regulations. She added that all new applications would be subject to those new regulations and the State encouraged every municipality to get their own ordinance in place for more protections, but otherwise, the State regulations would supercede anything after one (1) year.

Mr. Healey stated that the Township was aware of the new law and that the NJDEP issues a model ordinance. He then told the Board that they were currently working on a new ordinance to be introduced by Council.

Mr. Clarkin, Board Attorney, also told Ms. Suydam that it would be helpful to make the same comments to the Township Council.

Seeing no one coming forward, the Chairman made a motion to close the meeting to the public for general comments. Mr. Thomas seconded the motion, and all were in favor.

HEARINGS:

- **BALDWAS REALTY, LLC / PLN-22-00009**

Mr. John DeLuca, Esq., Attorney, appearing before the Board on behalf of the Applicant, Baldwas Realty, LLC. He indicated that they were before the Board that evening for Preliminary & Final Major Site Plan, Preliminary & Final Major Subdivision w/"C" Variances in which the Applicant sought approval to construct a 62,500 sq. ft. warehouse at 545 & 549 Weston Canal Road, Somerset: Block 516.01, Lots 4.03 & 5, in the Business & Industry (B-I) Zone - **CARRIED FROM JULY 26, 2023 – with no further notification required.**

Mr. DeLuca wanted to put on the record that the Planning Board did have the proper jurisdiction and authority to hear the matter and that all required notices had been published or served at least 10 days in advance of the hearing.

Mr. DeLuca indicated that there was currently a greenhouse on the site that would be demolished and replaced with a 62,500 sq. ft. warehouse with associated car parking,

truck loading, landscaping, lighting, storm water and utility improvements. He indicated that they were seeking Preliminary & Final Major Site Plan, Preliminary & Final Major subdivision w/ "C-2" variance relief for driveway width, where 36 ft. wide was permitted, and 45 ft. was proposed. He noted that, previously, the Application included variance relief for a deviation for landscaping and buffering requirements but had since been amended to comply with those requirements. Mr. DeLuca then added that they went before the Historic Preservation Commission being in Zone A, which he indicated looked favorably upon the Application.

Mr. Matthew Sharo, Site Engineer/Planner, employed with Dynamic Engineering, 1904 Main Street, Lake Como, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Sharo entered into the record as Exhibit A-1, a colorized aerial map exhibit (Sheet 2 of the Site Plan), dated 6/7/2023. He then described the current conditions on the property and the surrounding uses that included residential.

Chairman Orsini then asked what the status was with the Delaware & Raritan Canal Commission (DRCC) and indicated that they were just awaiting approval from the Planning Board and have addressed all their comments.

Mr. Sharo then indicated that between comments from the DRCC and working with the Township staff, the Application had changed from its original version. He went on to state that the subject lot was comprised of a farm and a residential, single-family home with accessory structures and had frontage on Weston Canal Road. He indicated that the farm property had a residential structure, along with barns, sheds, and other structures on the property. Mr. Sharo then stated that they had a very unique property, with 610 feet of frontage along Weston Canal Road and a jog in the property line. He added that the property also had a unique grade change of 30 ft. from Weston Canal Road to the rear of the property. He then told the Board that there were some driveways and retaining walls to make up for that grade. He then told the Board that there was an existing front yard setback to Weston Canal Road where an existing home was 2.7 ft. from the right-of-way property line. Mr. Sharo then showed the Board a quick exhibit, entered into the record as Exhibit A-2, an aerial overlay exhibit prepared by Dynamic Engineering and dated 6/7/2023 that showed how the proposal would look within the surrounding uses.

Mr. Sharo then told the Board that they were proposing a 55,920 sq. ft. warehouse, with 6,573 sq. ft. of office space that included six (6) loading stalls and 52 parking stalls. He then told the Board that the proposal was compliant with all regulations, with the exception of the variance for driveway width. Mr. Sharo then entered into the record as Exhibit A-3, the overall Site Plan rendering developed by Dynamic Engineering and dated 6/7/2023 (Sheet 4 and 13 of the Site Plan), a colorized version showing a combination of the overall Site Plan and the Landscape Plan. Mr. Sharo then gave the details of the plan, noting the 45 ft. wide driveway coming off Weston Canal Road. He explained that the driveway was widened due to the use and the WB50 tractor trailers coming out of the driveway for safe and efficient access in and out and in both directions. Mr. Sharo showed a small "S" turn that helped to get up to the higher grade

level in that area with a choice to go to the South or straight or make a left into the main parking area along the frontage of the building, with two(2)-way circulation there, He then detailed the inclusion of two (2) EV charging stations and a ride share shelter with a sign used for that typical use. Also included, Mr. Sharo stated that they have a bike rack. He then noted that the dumpster trash enclosure was located at the northeast corner of the parking lot. He then noted the six (6) truck loading areas near the rear of the building. He added that they were reducing the truck court area from 130 ft. to 110 feet to construct it for the WB50 designed vehicle. He noted continued two (2)-way traffic vehicle circulation as one would pass the loading zone area and along the side of the building. Going towards the rear of the building, Mr. Sharo showed the Board where there would be 18 more car-parking stalls between the building and the property line and back to the front parking area. Mr. Sharo then showed the Board on the exhibit where the Planned Adult Community (PAC) Zone was located and where there were certain buffer (50 ft.) and setback requirements (100 ft.), which was why the building was shaped as it was. He added that they were meeting all the requirements of the PAC Zone.

Mr. Sharo then discussed the utilities for the property, where he indicated that it was currently serviced by well and septic, but that the Applicant agreed to provide a 3,400 ft. utility extension off of Randolph Road for underground gas/water/sewer service and provide additional fire hydrants along Weston Canal Road.

He then drew the Board's attention to the Landscaping Plan, noting how extensive it is and including 280 new trees to include shade trees, ornamental trees, and evergreen trees. He added that there were 276 evergreen and deciduous shrubs throughout the site where there was the buffering along the PAC Zone and the landscaping along Weston Canal Road to provide screening and buffering to both of those areas for a total of 562 trees and shrubs throughout the site. He then told the Board that they meet and exceed the tree replacement requirements of 50 trees and were compliant with the DRCC, landscaping and Scenic overlay requirements.

Mr. Sharo then discussed the storm water design that included different types of new, green infrastructure throughout the site and met the new 2020 stormwater regulations as well as the Township regulations. He noted a few types of storm water management to include pervious pavement on-site as well as bio-retention basins and an underground infiltration basin under the parking lot in the front green infrastructure manufactured treatment devices along the edge of the driveway and a green roof that would be included with the project. Mr. Sharo then told the Board that all of these BMPs all met the green infrastructure requirements and were all approved by the NJDEP. He stated that the Architect would be getting into a discussion about green roofs. He also stated that they had their stormwater approvals for SCD as well as NJDEP.

Mr. Sharo then opened a discussion regarding the Lighting Plan, noting that they were proposing minimal lighting on the site to include five (5) area lights (set at 25 ft.), mostly in the parking areas. He added that they also had some 14 building-mounted lights (set at 15 ft. to 20 ft.). Mr. Sharo then added that all the lights were efficient LED downlit

lighting with shields protecting it from spread off the property and met all the Township ordinances.

Mr. Sharo then addressed Mark Healey's Planning letter, specifically two bullet points on the Scenic Corridor Ordinance where he pointed out a few items in the ordinance. He stated that the first one was regarding signage, including design and prohibition on internally illuminated signs. Mr. Sharo stated that all of the signs that were proposed for the Application meet and was compliant with the Township's Sign Ordinance. He then detailed the second one was design of fences and walls, and the Applicant had agreed to install the 6 ft. high solid vinyl fence that was required. Thirdly, he spoke of beefing up the landscaping on the western, northeast, and northwestern property lines since there was not much existing in the way of hedgerows or outcroppings. He then told the Board that they would place buildings to minimize the view of the building, including preservation of the existing tree lines and hedgerows. He then mentioned the significant buffer along Weston Canal Road and the grade change and green wall that would be included there. He then told the Board the building sat back 210 ft. from the roadway. He indicated that the buildings would be designed in harmony with the corridor's topography, viewsheds, architectural styles, colors, character, and appearance. Mr. Sharo then discussed the design standards in the business and industrial uses to include loading docks and truck parking should be minimized from view from adjoining roadways. He felt that would be accomplished through the grade change, significant buffering, with the loading dock placed inside the building so that there would not be any view of the loading docks from Weston Canal Road. He then stated that they would design the sides of the building in the same manner as the front of the building, by use of a green wall. He then spoke of the mechanicals, including the HVAC system and A/C units would be screened from the roadway with the building being 210 ft. from the roadway. Finally, he reiterated the testimony given earlier regarding the provision of bike racks, EV stalls, and shelter for ride share with associated signage for alternate means of transportation.

Mr. Sharo then discussed a few comments in the Township Engineer's letter that he wanted to discuss, with the inclusion of sidewalks. He noted that it was not warranted for the Scenic Corridor as it was not desirable in that area as it would add additional impervious coverage. He added that the County did not request it either and that there were no other sidewalks in that area. He indicated that they would propose no to have a sidewalk just because of the Scenic Corridor. Mr. Clarkin, Board Attorney, then asked if they would have to change their Landscaping Plan to accommodate a sidewalk. Mr. Sharo indicated that he would have to look but thought that they could fit it in between the roadway and where the landscape starts. Chairman Orsini had a discussion regarding the inclusion of sidewalks, but he stated that Weston Canal Road was not a pedestrian friendly roadway, with the grading and sight lines.

Mr. Thomas asked if it were appropriate her to ask for a sidewalk contribution, and Mr. Healey indicated that it was a design standard and something the Board could impose if they wanted to do that. A discussion ensued, and the Applicant stated that they would consent if the Board requested it, but not something that they would volunteer.

Mr. Thomas then asked where the 6 ft. vinyl fence would be placed, and Mr. Sharo indicated that it would go along the PAC buffer area. A discussion ensued regarding the color and material of the proposed fence, and Mr. Thomas suggested a solid wood fence in a natural wood color in that area as opposed to a white vinyl fence. He also thought that a dark brown vinyl fence would work as well, but not white.

Mr. Sharo then discussed four (4) points in the Township Engineer's letter. He noted the shrinking down of the truck court area from 130 ft. to 110 ft. for the WB50 trucks and would agree to that. He then discussed seeking the variance for a 45 ft. drive aisle where 36 ft. was permitted. He then discussed the comment in Mr. Healey's Planning report that dealt with the slope of the driveway as someone would travel out of the turn and up the driveway and into the main parking area/main area of the site. He added that the slope was currently at 8.3% and the Township Engineer would like it to be a little less than 5% and the ordinance allowed for 15%. Mr. Sharo felt that they were right in the middle of what was acceptable, but stated that he would work with the Township Engineer to reduce the slope under the 8.3%

Chairman Orsini then asked Mr. Sharo to review their stream corridor preservation measures, and Mr. Sharo indicated that they tried to get the building and the majority of the site improvements out of the stream corridor. He said that they were going to have new landscaping, with the roadway the only thing that was going to go through there. He then noted, utilizing the aerial exhibit, that a lot of what currently existed on the site was within the stream corridor and they were prepared to clear out a lot of that from that area. He added that from a storm water perspective, they were significantly improving water quality and water recharge throughout that portion of the site. Because they were within the DRCC jurisdiction and there was currently no water quality measures on the property, they had to improve to 95% TSS removal. – a significant improvement to what was out there now. He added that they were also meeting all the reductions in ground water recharge. He believed that all of those measures combined met the intention of the corridor.

Mr. Healey wanted to know if the plan that being shown to the Board that evening was what the DRCC staff has approved. Mr. Sharo answered in the affirmative. Mr. Healey then asked if the DRCC pose requirements such as native plantings and things like that, and Mr. Sharo answered in the affirmative and also stated that the Environmental Commission did as well. He added that they would work with both of those and the professionals to get a good selection of those native trees on the property. Mr. Healey then asked for clarification as to whether the screening of what was proposed in the front of the building, in terms of the size, nature and number of the plantings, were per the DRCC review. Mr. Sharo answered in the affirmative.

Mr. Healey then asked Mr. Sharo to show the exhibit that had the overview of the PAC Zone, a residential zone, to see all of the surrounding uses and their proximity to those residential uses. He noted a townhouse complex to the south, which was about 650 away from their property, a ball field that was under construction to the west that was near a residential home, and to the east was a solar field and the water company. .

Mr. Healey then asked if the change in the grade would change the Site Plan in any way as far as the delineation or the alignment of the internal roadways. He said it would not significantly change the plans, but that they might just lower it a little bit at the high points. He said that they would just be changing the slope of the driveway a little bit but would not affect the building or the elevations around the building.

Mr. Healey mentioned that the proposal was a smaller warehouse with a lot less truck bays than they were used to seeing for a warehouse. Mr. Sharo added that the truck bays were smaller as well to accommodate the WB50 type trucks. Mr. Healey then asked how prospective tenants would be made aware of the truck bays not being able to accommodate the typical, larger tractor trailers. Mr. Sharo stated that it was a spec warehouse building and that any prospective tenant would have the Site Plans to review to see what could be accommodated on site. Mr. Clarkin then suggested the Board impose a condition on the site for a maximum truck bay that would only accommodate a WB50 type truck.

Mr. Chairman asked if the warehouse was large enough to be able to be solar ready or not. Mr. Sharo indicated that the qualifications for a solar ready roof would be 100,00 sq. ft., so their building would not comply being only 62,500 sq. ft.

Dr. Chase opened a discussion regarding the buffering up against the PAC Zone. He gave some suggestions and configurations for evergreen tree species. Mr. Sharo indicated that that was a great suggestion for that area near the property line to make it look more natural.

Mr. Thomas wanted to know if the driveway specifications of 45 ft. wide go before the DRCC, and he answered in the affirmative and they had no comment. A discussion ensued among the Board.

Mr. David Ennis, Architect, 352 6th Street, Brooklyn, NY 11215, came forward and was sworn in. Mr. Ennis indicated that he was an NCARB (a national licensing organization) licensed architect in the State of New Jersey but did have a licensed architect on board at his firm. He also added that he was an architect in the State of New York. Mr. Clarkin stated that he was inclined to recommend that the Board accept his qualifications, but the fact that he was not licensed in the State of New Jersey himself would go to the weight with which you would give his testimony. Mr. Ennis then entered into the record as Exhibit A-4, which were the architectural plans. He was describing the design of the building as not a typical warehouse structure, but was a combination of two types of buildings, with one a longer building more closely associated with a traditional warehouse type building, whereas the front portion of the building would want to be addressing more of a commercial type building. Mr. Ennis then entered into the record as Exhibit A-5 – Overall Site Plan, but more of a diagram which described the components to include an upper level of offices without changing the height of the building. He then entered into the record as Exhibit A-6, which was an expanded version showing the double height space with the second-floor area. He then entered

into the Record as Exhibit A-7, which was a blow-up of the ground floor level and showed the ground floor office, ground floor main area, ceremonial stair up, shipping, receiving employee lounge and employee bathrooms, with a dedicated means of egress from upstairs, etc. He then entered into the record as Exhibit A-8, which was a water treatment plant that was a tilt-up concrete paneled system. He stated that the DRCC recommended that they do earth tones in a taupe or light green. The north and south elevations were where they included a biophilic or a green wall to have a pin-mounted, stainless steel cable system onto the wall that allowed for a creeping vine as opposed to a clinging vine so that it wouldn't damage the wall that would keep it under control so that it wouldn't spread it all over the place. He stated that it was a real opportunity to have a ground-based vine system climbing up the side of the building and would propose to use native plants. He then spoke of the glass and metal bustles at the entries that were at 30 ft. and drops the scale down. He then entered into the record as Exhibit A-9, which was the roof plan with the green roof – an extensive green roof and non-habitable. He discussed the benefits of green roofs including the slowdown of the rainwater, an evaporative cooling, is longer lasting than a traditional roof. Exhibit A-10 is an enlarged part of the elevation that showed partial biophilic walls, glass and metal entryway and office. He then entered into the record as A-11, an architectural exhibit that showed the glass and metal bustles, biophilic walls, and a buff color or natural color of the north building and the taupe color of the warehouse south building. He then entered into the record as Exhibit A12, was an aerial view of the building with the canal behind it and showing the green roof, entry portion of the building, ceremonial stair leading up to the main reception on the second floor, biophilic walls.

Dr. Chase then opened a discussion regarding the look of the undulating column grids, and Mr. Ennis entered into the record as Exhibit A-13 showing that detail. He then discussed some air conditioning for the warehouse that was based upon the user. He added that the office space is a lower roof and would have more air conditioning. They then discussed where the a/c units would go if a user needed it, giving interior examples or on the roof and space under the two (2) bustles. At that juncture, the Architect had proposed the HVAC systems be placed above the bathrooms in mechanical rooms. He added that they would make sure the units would not be obtrusive.

Ms. Rangnow asked Mr. Ennis to go back to Exhibit A-9, asking if there would be a sidewalk going to the front entrance. He indicated that should they obtain approval, he indicated that he would coordinate with Dynamic Engineering that would include the planned sidewalks into the renderings. He said currently, his exhibits did not include the landscaping or other site improvements. She then asked if there would be a rear entrance to the building or a sidewalk or towpath from the rear parking area to the front. Mr. Ennis described a series of entries all along the façade of the building and could provide a pathway along the west side of the building to access the office space there. He stated that the reason there were no doors on the south end of the building was because they had another biophilic wall there, for a total of three for the project.

Ms. Hilbert then asked who would be in charge of the maintenance of the green roof. Mr. Ennis indicated that it does not really need much care or maintenance, but would

need to be checked to make sure there was no dead vines and access through a laddered roof hatch over the office – at 30 ft.

Mr. Corey Chase, Traffic Engineer, Dynamic Traffic, 245 Main Street, Chester, NJ, came forward and was sworn in. The Board accepted his qualifications. He indicated that they prepared a Traffic Impact Study, dated February 24, 2022. He added that they worked with Mr. Sharo and his group with reviewing the site access circulation as well as the requested roadway improvements along Weston Canal Road that were requested by Somerset County along the frontage and would be providing a dedicated, west-bound left turn lane into the proposed warehouse facility. Mr. Chase indicated that they did have some coordination regarding the driveway geometry with Somerset County, which led to providing the overall 45 ft. width driveway there. The County required that width, as expected that both truck turning movements would be able to be done and no encroachment would be made into oncoming traffic while trucks were ingressing and egressing the proposed driveway. He added that it was the reason for providing such an oversized driveway width. He indicated that they look at the data published by the Institute of Traffic Engineers (ITE) from their trip generation manual, currently the 11th edition. He drew the Board's attention to Table 1 of their report, stating that they summarized the peak hour traffic volumes that would be generated by the facility that only had six (6) truck loading bays and much smaller than other warehouse applications in the area. He indicated that the facility would only generate 34 trips during the peak hour, and the NJDOT had identified a threshold of 100 additional trips during peak hours would constitute a significant increase in traffic. Mr. Chase added that they were only 1/3 of that threshold and correlates to only one trip every 2 minutes during the peak hour and not a significant impact on the adjacent roadway network. They did put together a Pre- and Post-Development Analysis of the two (2) adjacent signalized intersections along Weston Canal Road at Randolph Road and at Schoolhouse Road. The results of those studies were on Table 4 on page 6 of their report, noting no degradation of level of service during the morning weekday and evening weekday peak hours, with or without the development. Mr. Chase testified that the two (2) signalized intersections would continue to operate at the level of service they do now even with the construction and additional traffic generated by the proposed development. He indicated that they also did a level of service analysis at the proposed set access point along Weston Canal Road and found that it would operate at acceptable levels of service. Mr. Chase told the Board that the west-bound turning lane would be approximately 100 ft. in length and more than adequate to accommodate two (2) tractor trailers stacked there, if necessary, waiting to turn left there into the site and would not spill back out onto the westbound traffic. He then testified that the westbound turn lane was designed to promote safe and efficient access to the site, with limited traffic generated by the facility and no detrimental traffic impacts to the adjacent roadway network. He then drew the Board's attention to the traffic stalls on site, to include 52 parking stalls which was consistent with the Township requirement for the facility; and they were going to provide six (6) loading bays to accommodate the truck traffic to the facility. .

Mr. Chase stated that he did not think there were any comments to be addressed in the Township Engineer's and Planner's reports. He wanted to acknowledge that they did receive the memo from the Police Dept., and they had no comments.

Mr. Healey asked what would happen if a larger truck should show up to the site. Mr. Chase stated that being a smaller size, it would be a niche warehouse facility and would see the Site Plan and know that it would not accommodate the WB-67 tractor trailer trucks. Should a larger truck come into the site, they did have room for it to maneuver to access the loading dock and turn around get back out of the site. Mr. Healey followed up by asking if a larger truck could turn into the site, and Mr. Chase answered in the affirmative. Mr. Healey then asked if they could circulate around the building, but Mr. Chase indicated that they did not design the site to allow for 360-degree circulation throughout the site.

Chairman Orsini then opened a discussion regarding not needing a variance for driveway width. The Chairman then asked if they studied, the intersection of Weston Canal Road and Cottontail Road in his analysis. Mr. Chase indicated that the traffic from to and from the facility would be passenger vehicles, which is why they chose to study the intersection to the east and the one to the west because that would have the most impact from that kind of vehicle and would dissipate the further you get away from the facility. A discussion ensued among the Board, and the Chairman asked that Mr. Chase put that analysis together and provide that to the Board to back up his testimony. Mr. Chase agreed to do so.

Mr. Clarkin, Board Attorney, indicated that their stated level of service at Weston Canal Road and Randolph Road would be at level of service D and wanted to know what level of service it is now. Mr. Chase answered that it was currently a level of service D.

Mr. Matthew Sharo, Site Engineer/Planner, employed with Dynamic Engineering, 1904 Main Street, Lake Como, NJ, came forward and continued to be sworn in

Chairman Orsini then asked an Engineering question. He wanted to know that, given the size of the warehouse, he wanted to know what kind of operations could be conducted on site. Mr. Sharo stated that with the size of the warehouse and the size of the loading bay court could not be used for distribution of big products and would be considered more of a light warehouse use or a local/regional distribution.

Mr. Sharo indicated that they were only requesting one (1) variance that was more technical in nature for the 45 ft. wide drive aisle at Weston Canal Road, where 36 ft. was permitted. He did want to let the Board and public note that there was another variance listed in the Planning letter; however, he stated that they were eliminating that variance by putting the solid, six (6) ft. high fence along the Pac Zone. He added that they would be willing to place one made from natural wood or a darker brown vinyl fence, depending on the Board's preference. Mr. Sharo then indicated that he believed the driveway variance would be a C-2 variance, the flexible C, and could be granted by showing the purposes of the Municipal Land Use Law (MLUL) would be advanced by

the deviation from the zoning ordinance and if the benefits of the deviation would substantially outweigh any detriments. He then discussed the two (2)-prong negative criteria test, with the first being the determination that the variance could be granted without substantial detriment to the public good. He noted that the wider driveway had zero negative impact on Weston Canal Road and adjoining properties. He then detailed the second prong would be to determine if granting the variance would impair the zoning ordinance. He stated that the wider driveway provided a safe and secure ingress and egress for the WB50 design vehicle and did not impair any other zoning requirements such as impervious coverage or a setback to a property line. He then testified that it was his opinion that the general welfare would not be impacted by granting this variance and the benefits of the deviance would substantially outweigh any detriments if the variance were granted that evening.

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

Ms. Robyn Suydam, 54 Skillman Lane, Somerset, NJ, came forward and was sworn in. Ms. Suydam asks why they need a fence on the property. Mr. Healey explained that when something in the B-I Zone was adjacent to a residential zone and required a 50 ft. buffer with the landscaping and the 6 ft. high fencing. She then discussed the inclusion of pervious as well as impervious material along a portion of the driveway. Chairman Orsini stated that the Fire Prevention Director did not allow them to put pervious materials in a fire lane, which was located in the rear of the building. She then discussed the choice of plantings along the loading dock walls on the right-hand side, she suggested using something that was a bit taller than holly or viburnum to better screen the trucks from view in the Scenic Corridor. Mr. Sharo stated that they could look into providing something taller in that area.

Ms. Jan Brant, 22 Bryant Court, Somerset, NJ, came forward. Ms. Brant was asking if the resident of 555 Weston Canal Road was notified, because there had been a recent sale of that home in May of 2023. Mr. Clark, Board Attorney, indicated that the Applicant was entitled to rely upon the 200 ft. list that the tax asses. Mr. Healey stated that the resident of 555 Weston Canal Road was notified. and the tax assessor furnishes to them and that sometimes there was a delay in the deed being processed. A discussion ensued. Ms. Brant then asked for how the left hand turn lane would operate on Weston Canal Road, and the Chairman reiterated the testimony given at the hearing by the Traffic Consultant. She then asked if trucks could turn both ways out of the driveway, and Mr. Chase indicated that they could, but most would go right out towards Rte. 287. They then discussed signage turning out of the facility for a right turn only, and a discussion ensued. Ms. Brant then asked if the facility would be a 24/7 operation, and they could not opine on that because it was a speculative warehouse. A discussion ensued. Finally, Ms. Brant then asked if there were any other warehouses on Weston Canal Road that had other facilities that accommodate WB50. Mr. Chase indicated that none had WB50 trucks on that roadway. A discussion ensued.

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

Mr. DeLuca gave his closing summation.

Chairman Orsini made a motion to approve the Application, with the following conditions: The Applicant would make a contribution to the Township in lieu of constructing sidewalks along Weston Canal Road and determined by an Engineer's estimate of the cost, furnished by the Applicant and approved by the Township staff, the maximum size of truck on the site would be a WB50, any successor to the Applicant would include that provision, Applicant would revise the plantings along the rear yard line, keeping in mind the proximity to the fence, the Traffic Report would be supplemented to study the Cottontail intersection, payment of real estate taxes, professional fees, etc., the inclusion of an earth-toned vinyl fence or wood fence to be worked out with Township staff, locate the fence opposite the driveway from the parking lot and go all the way back and wrap around the building as that area adjoins the Pac Zone, to better screen the loading dock, sign for right hand turn only for trucks and work with Township Engineer (CME) to revise the grade of the driveway. Additionally, the building should be taupe or light green in color. Applicant to obtain any outside agency approvals still not received. Mr. Thomas seconded the motion, and the roll was called as follows:

FOR: Councilman Anbarasan, Dr. Chase, Ms. Inocencio, Ms. Rangnow, Mr. Thomas, Ms. Hilbert and Chairman Orsini

AGAINST: None

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:

Chairman Orsini made a motion to adjourn the meeting at 9:30 p.m., and the motion was seconded. All were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
October 13, 2023