

UNION TOWNSHIP PLANNING BOARDMEETINGAPRIL 28, 2016

Before the regular meeting commenced, the Board held its conference meeting for consideration regarding Verizon, Route 22 Center Island, for a site plan waiver. Steve Harcarik came forward on behalf of Verizon. He advised the Board that Verizon is looking to occupy on a temporary basis a portion of the Karako Building. The space is next door and they would like to occupy the space for four months, while the improvements are made to their building. He advised that he was before the Board in February regarding making the Verizon space larger and making other changes. He advised that using the adjacent space, they can still use their present parking, to accept their customers. He advised not a lot of construction will be required in the temporary building. He advised a bathroom and separation walls will be constructed. He advised that the same entranceways can still be used and a sidewalk will be added. He advised that fencing will be placed on the lot for contractor parking. He advised there will be parking on both sides of the building. He advised they are in the process of signing a lease for the Karako space. He submitted drawings to the Board. He again stated that they would like an additional four months, but it may take six months. He suggested as far as signing, that banners be placed on four sides of the building. And they will be maintained and replaced if they get destroyed. They will be in the new space until the old space is completed. He advised that a Certificate of Occupancy will be acquired within six months. The plans have been submitted to the Township. Mr. Haderer stated that the Board should put a time limit if the Board decides to grant the waiver. He advised that applicant asked for six months at the outset, but that is up to the Board.

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Mr. Morrison suggested that the Board grant Verizon until December 31, 2016 to complete the project. The Board was in agreement to the granting of the waiver until December 31, 2016. The Board advised that the banners will be checked to make sure they stay in good condition. The witness advised the bungy cords will be used to tie the banners to the building. He may consider using a screw and washer to hold the banners. The Board was then in favor of granting the waiver until December 31, 2016.

The Township of Union Planning Board held its regular meeting on April 28, 2016, pursuant to the Sunshine Law of the State of New Jersey, at 7:00 p.m., in the Municipal Building, 1976 Morris Avenue, Union, New Jersey. Present were Cantalupo, Morrison, O'Hara, Bowser, Perkins, Moyer and Rev. Starling. Absent were Guerra-Frazier, Florio, Louis, Mayor Figueiredo and Delisfort. Also present was Robert J. Pansulla, Esq., Acting Board Attorney, on behalf of the absent Daniel McCarthy, Esq., Philip A. Haderer, Assistant Township Engineer; Jason A. Cline, Engineer, for the Lidl matter, on behalf of the absent Joseph R. Venezia, Township Engineer; and Diana Rutledge, Clerk.

Mr. Cantalupo asked, at this point, that Philip A. Haderer, Assistant Township Engineer for the Township, be sworn by the Court Reporter in the event he needed to give testimony or comments to the Board during the meeting.

Mr. Cantalupo then asked for a motion to approve the minutes of February 25, 2016. Mr. O'Hara then made a motion to approve the minutes of that meeting which was seconded by Rev. Starling. Ms. Perkins abstained since she was not present for that meeting. Mr. Cantalupo also abstained since he was not present for that meeting.

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The next matter to come to the attention of the Board was Application 2005-14 RT Sales for Resolution of Extension. Stephen F. Hehl, Esq. came forward on behalf of the applicant. Mr. Hehl advised that the applicant was looking to add a nice extension and a renovation of the property. Due to economic reasons and health reasons, the applicant was not able to proceed with the project. He advised that they were now in a position to proceed with the project. He was now requesting a one year extension. Mr. Cantalupo then asked for a motion and Mr. O'Hara made a motion to extend the application for one year which was seconded by Mr. Moyer. On the vote: Morrison, yes; Meyer, yes; O'Hara, yes; Perkins, yes; Rev. Starling, yes; Bowser, yes; and Cantalupo, yes.

The next matter to come to the attention of the Board was a Report to the Township Committee for an Ordinance Amending Chapter 170, Article XIIC, UCBD District, for Residential Zoning Requirements and Mixed Use Development. Mr. Haderer advised that the ordinance was with regard to Residential units within the UCBD Zone and that they shall conform to the minimum dwelling unit floor area standards based on dwelling unit type as follows: Studio/efficiency apartment, 500 square feet; One bedroom apartment from 850 square feet to 650 square feet. Two-bedroom apartment from 1000 square feet to 900 square feet. Apartments with three or more bedrooms shall remain at 1,150 plus 150 square feet for each additional bedroom. He advised that the Township Committee would like a report from the Board. They will take the recommendation of the Board when the ordinance is up for adoption. Mr. Moyer then made a motion that the Board recommend that the report be accepted as read by the Assistant Township Engineer, and that the report be referred to the Township concerning the Mixed Use Development within the UCBD Zone, which was seconded by Ms. Perkins. All members were in favor. Mr. Pansulla will prepare a resolution memorializing the Board's action.

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The next matter to come to the attention of the Board was Application No. 2016-02 (UTP 028) Lidl U.S. Operations, LLC for major site plan and variance. Stephen F. Hehl, Esq. came forward on behalf of the applicant. Mr. Hehl gave a brief overview of the application and that he would be calling five witnesses. It should be noted that Mr. Hader advised that he would be stepping down for this application. He advised that Jason A. Cline, an engineer, will be representing the Townships interest in the application. Mr. Cline was sworn in by the court reporter. Mr. Hehl then called Scott Logan, the Real Estate Development Manager for Lidl U.S. Operations. He gave his qualifications and was accepted to testify. He advised that the store will be a premium private label grocer. He advised that the company originated in Germany and opened its first store in 1973. It is not a publicly traded company. They have 10,000 stores in 26 countries. He advised that the store will be a solid anchor for the Township. He advised that the store will have 25 per cent national brands and the other 75 per cent will be the companys product line. He advised they will sell pre-packaged foods and no alcohol sales. They will have a bakery, fruits and vegetables, meat, poultry and seafood. The hours of operation will be six to midnight or 7 to 11 p.m. They will not be open 24 hours. He anticipates 30 to 35 employees will be employed, both part and full time. Employees will be hired locally and there will be 7 to 10 or 12 employees there on site at any one time. He stated that he expected to get two deliveries per day. The trucks will be unloaded by the staff. He advised that recycleables will be taken by truck to the Distribution Center. He advised the store will meet all health requirements. Carts will be provided for shopping. After several clarifying questions by the Board, Mr. Cantalupo opened the witness for cross-examination on the testimony given and no one came forward to question the witness.

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Mr. Hehl then called Benjamin Crowder, a civil engineer with Behler Engineering. He gave his qualifications and was accepted to testify. He submitted several exhibits which he testified from. He described the site in question. He advised that the applicant is proposing to remove all existing buildings and develop the site with a new 36,170 square foot grocery store with associated parking, signage and related site improvements. He advised that the new grocery store will be constructed on the western portion of the site with the rear of the new building located 14.2 feet from the rear property line. New fencing and landscaping will be installed along the rear perimeter. He advised the current building on the site is setback only 3.9 feet from the rear property line. Therefore, the proposal is a substantial improvement from the current condition. He advised that signage will be required for the business. He advised that a wall-mounted sign will be included on both the front and right side of the building elevations. The dimensions of the proposed wall signs will be 9 foot ten by nine foot ten. He advised that the signs are well below the maximum size allowed by code. He advised that the applicant is proposing to install a free-standing sign that complies with the code. He advised that 239 parking spaces will be provided, when 181 are required. The spaces will be 10 x 20 in size. He advised storm water runoff will be improved. He advised that the site is contaminated and being remediated by an environmental consultant. He stated that the landscaping will be improved. He advised that the benefits of this application would far outweigh the detriments relative to the building location. He also advised there will be parking in the front yard. He advised there will be one to two deliveries per day. They will provide a two bay loading dock. He advised there will be 836 new plantings together with 41 shade trees and 200 shrubs. The lighting will be LED on poles which will be 25 feet high. He will be providing turning templates for trash pickup as well as emergency vehicles.

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A local hauler will be hired to collect the garbage, and the applicant will set the times for it to be picked up. As noted above, circulation templates will be provided for emergency vehicles. A grease trap and no idling signs will be provided. After several clarifying questions by the Board, Mr. Cantalupo opened the witness for cross-examination on the testimony given and attorney John Arsenault of Arsenault and Fassett came forward representing Shop Rite. Mr. Arsenault cross-examined the witness on the testimony given. Mr. Hehl then called R. Wess Luke, an architect, who gave his qualifications and was accepted to testify. He produced exhibits showing the new facility and from which he testified. He described the loading area will be at the back of the site. The building will be two colors with two types of brick and stucco. There will be a logo and the signs on both sides. There will be a cart cerral with carts under a covered area. Then he addressed the comments of the Township Engineer and advised the applicant would comply with same. The mechanicals will be on top of the loading area and not on the roof. There will also be a mezzanine to house equipment. Mr. Cantalupo opened the witness for cross-examination on the testimony given and no one came forward to question the witness. The Board had several questions for the witness before Mr. Cantalupo opened the witness to the public. Mr. Hehl then called Corey M. Chase, a Senior Project Engineer for Atlantic Traffic and Design. He gave his qualifications and was accepted to testify. He stated that he had submitted a Traffic Impact Assessment which each Board member received. He advised that the site will be primarily accessed via a right turn ingress only driveway and a right-in and right-out driveway on Route 22. He advised the number of curbcuts on Route 22 will be reduced. He advised he had met with the DOT and they were in favor of the access. He advised that the access will operate adequately and be consistent with other things along the corridor.

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The site will generate five per cent additional vehicles onto Route 22 during the peak hour. He felt that the site will provide adequate access and circulation to all areas of the site. He also advised the applicant will adhere to the comments of the Township Engineer. He stated that the trucks going to the site will be owned and operated by Lidl. After several clarifying questions by the Board, Mr. Cantalupo opened the witness for cross-examination on the testimony given and he was then examined by Mr. Arsenault. Mr. Hehl then called Christine A. Nazzaro-Cofone, a professional planner, who gave her qualifications and was accepted to testify. Ms. Nazzaro-Cofone took the Board through the planning criteria for the granting of the variance. She decided the proposed use is a permissible use at the location. She advised they will be eliminating certain non-conformities in that they are eliminating multiple principal uses on the property. She advised that the site will be redeveloped in accordance with the BC zone. She advised that the applicant was seeking a bulk variance for the rear yard setback. She advised that the buildings on the property will be demolished. A 36,000 square foot Lidl food store will be built. She advised by granting the variance, the benefits of the variance will outweigh any detriments. She enumerated all the variances that the applicant was seeking. She advised the new building will be attractive and they will eliminate the barbed wire fencing and other unattractive features that exist on the site. She advised if the variance is granted, the positive and negative criteria will be met. She further stated that the granting of the variance will have no substantial detriment to the public good or the zone plan. She advised that the variance package required in conjunction with the redevelopment of this site is fairly diminutive. She again stated that the applicant will meet the statutory burden of proof with respect to the positive criteria.

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After several clarifying questions by the Board, Mr. Cantalupo opened the witness for cross-examination on the testimony given and John Arsenault questioned the witness on the testimony given. Mr. Hehl advised he had no further witnesses. Mr. Cantalupo then called for public comments and no one came forward to speak for or against the application. Mr. Cantalupo then advised Mr. Hehl that the Board had not received the reports from the police or fire departments. Mr. Cantalupo said he would not be calling for a vote. The Board then adjourned the matter to May 26, 2016, and no further notice will be required.

There being no further business to come to the attention of the Board, Ms. Perkins then made a motion to adjourn which was seconded by Mr. Morrison. The meeting was adjourned at 9:00 P.M.

Respectfully submitted,



DIANA RUTLEDGE,
CLERK OF THE BOARD.