UNION TOWNSHIP PLANNING BOARD

MEETING

AUGUST 25, 2016

Before the regular meeting commenced, the Board held its conference meeting for consideration regarding Bed Bath and Beyond, 650 Liberty Avenue, for a trench drain replacement. Stephen F. Hehl, Esq. appeared for the applicant. The Board had been given a construction plan of the project. Mr. Hehl then called upon Robert Espasa to provide the Board with an explanation of the plan. Mr. Espasa advised that there will be a replacement of the existing trench drain at the driveway of 650 Liberty Avenue that is the headquarters for Bed Bath and Beyond. He stated that it had settled over the passed few years and it needs to be replaced. It is in the flood plain. It will be raised less than three inches. If it is raised more than three inches you need a DEP permit. He advised that they are proposing to raise it 2 and a half inches to get rid of the little dip in the road. It will be tied into the same drain that it is now which is on Liberty Avenue. Mr. Haderer stated that the Engineering Department looked at it and had no objection with the improvement. There were no questions from the Board. Mr. Cantalupo then asked for a vote and all members present were in favor.

Before the conference meeting ended, Mr. Cantalupo advised that Stephen F. Hehl's father, Bernard Warren Hehl, had passed away. Mr. Cantalupo advised that Warren Hehl was before the Board for many years and was a personal friend of his. He stated that on behalf of the Board, they would like to give condolences to Stephen and the family.

The Township of Union Planning Board held its regular meeting on August 25, 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.

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Present were Cantalupo, Morrison, O'Hara, Rev. Starling, Delisfort, Bowser, Guerra-Frazier, Mayor Figueiredo and Louis. Absent was Perkins and Florio. Also present were Robert J. Pansulla, Esq., Special Counsel to the Board on the Lidl U.S. Operations, LLC, and appearing for the absent Daniel McCarthy, Esq., Board Attorney was Diane Dabulas, Esq., Philip A. Haderer, Assistant Township Engineer, John Jahr, Traffic Consultant for the Bed Bath and Beyond matter and Diana Rutledge, Clerk.

Mr. Cantalupo then asked for a motion to approve the minutes of the July 28, 2016 meeting. Mr. Morrison then made a motion to approve the minutes of that meeting which was seconded by Mr. O'Hara. On the vote: Guerra-Frazier, yes; Morrison, yes; Rev. Starling, yes; O'Hara, yes; Mayor Figueiredo, abstain; Bowser, yes; Delisfort, yes; and Louis, abstain.

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

The next matter to come to the attention of the Board was Application 2016-07, Russo Acquistion, LLC for Resolution of Approval. Mr. Bowser then made a motion that Application 2016-07 Russo Acquistion, LLC be approved, which was seconded by Mr. O'Hara. All members were in favor. The next matter to come to the attention of the Board was Application 2016-05, Jans Realty Urban Renewal, LLC for Resolution of Approval. Mr. Bowser then made a motion that Application 2016-05 be approved, which was seconded by Rev. Starling. All members were in favor. The next matter to come to the attention of the Board was Application 2016-02, Lidl U.S. Operations, LLC for Resolution of Approval. Mr. Bowser then made a motion that Application 2016-02, Lidl U.S. Operations, LLC be approved which was seconded by Rev. Starling. All members were in favor.

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The next matter to come to the attention of the Board was Application 2016-08, Bed Bath and Beyond 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 three witnesses. Mr. Hehl then called James Lambert, a Director of Engineering for Bed Bath and Beyond. He gave his qualifications and was accepted to testify. He advised that the Applicant is seeking approval to utilize the existing building at 1200 Springfield Road for office and storage/warehouse use. The parking area will be expanded to 366 spaces for its employees at both 1200 Springfield Road and 650 LIberty Avenue. He advised that the Applicant will also convert the current bus repair garage into a storage facility. He further advised that the proposed parking facilities can be utilized by the employees working at 640 Liberty Avenue since the parking lot is within 250 feet of the building. He advised that the proposed garage will be used for their snow fighting equipment. He advised that the applicant will comply with the comments of theTownship Engineer. After there were no Board questions, Mr. Cantalupo opened the witness to the public for cross-examination on the testimony given and no one came forward to question the witness. Mr. Hehl then called Robert Espasa, an engineer, to testify. He gave his qualifications and was accepted to testify. He presented an aerial map from which he testified. He described the propertyin question and testified from a site plan which he submitted. He advised that the asphault parking lot will be repaired in terms of filling some of the cracks and potholes. The entire lot will be re-striped and the bus parking spaces will be eliminated and it will be all car parking. He stated there will be 366 parking spaces. He advised the parking lot will be utilized by employees occupying the office space and also for the 650 Liberty site since they are within 250 feet of each other.

There will be a sidewalk connection proposed to connect the parking lot from 1200 Springfield Road to 650's driveway which has an existing crosswalk, with ADA compliant handicap ramps. There will be no change to grading or drainage. There will be no increase in impervious surface. There will be no increase in storm water runoff. The existing utilities willservice the building. Two new light poles will be erected. He advised that the applicant will comply with the comments of theTownship Engineer. He discussed some of the comments of the Township Engineer and advised that the applicant will comply with same. He advised if there was a sidewalk needed because of people walking across the grass, the applicant will install same. After there were no 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. Mr. Hehl then called Joseph Staigar, a traffic engineer, to testify. Mr. Staigar gave his qualifications and was accepted to testify. Mr. Staigar had presented the Board members with a traffic report which the members received prior to the hearing. He advised that there will be no left in at the southerly driveway and no left out at the northerly driveway. He advised refuse pickup will be two days a week, in the midday range. He also discussed some changes with the Township Engineer which will be put forth in a new plan. He concluded that the adjacent street system of the Township will not experience any significant degradation in operating conditions with the construction of the project. He advised the site driveway is located to provide safe and efficient access to the adjacent roadway system. The plan as proposed provides for good circulation throughout the site and provides adequate parking to accommodate the project's needs. After the questions by the Board, Mr. Cantalupo opened the witness to the public for cross-examination on the testimony given and no one came forward to queston the witness. Mr. Hehl then advised he had no further witnesses.

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Mr. Cantalupo opened the matter to the public for comments and no one came forward to say they were for or against the application. Mr. Cantalupo then called for a motion and Rev. Starling made a motion that Application 2016-08, Bed Bath and Beyond be approved with the understanding that the recommendations of the Township Engineer be followed, which was seconded by Ms. Guerra-Frazier. On the vote: Guerra-Frazier, yes; Morrison, yes; O'Hara, yes; Rev. Starling, yes; Delisfort, yes; Mayor Figueiredo, yes; Bowser, yes; Louis, yes; and Cantalupo, yes.

There being no further business to come to the attention of the Board, Mr. Morrison then made a motion to adjourn which was seconded by Ms. Guerra-Frazier. The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Diana Rutledge

DIANA RUTLEDGE,
CLERK OF THE BOARD