

SAYREVILLE PLANNING BOARD

MINUTES OF April 18, 2018

The regular meeting of the Sayreville Planning Board was called to order by Thomas Tighe, Chairman and opened with a salute to the flag. The meeting was being conducted in accordance with the Open Public Meeting Law P.L. 1975, c231, Public Law, 1975.

Members of the Planning Board present were: Mr. Chodkiewicz, Mr. Davis, Councilman Lembo, Ms. Lee, Mr. Tighe, Mr. Macagnone, Ms. O'Leary, Ms. Mantilla, and Mr. Volosin

Absent Members: Mr. Bello

Also present were: Mr. Marc Rogoff, Attorney, Mr. Cornell, Engineer and Mr. Leoncavallo, Planner.

AT THIS TIME, THE MEETING WAS OPENED:

Chairman Tighe asked the Planning Board Secretary if the board meeting was being conducted under the Sunshine Law and if all publications were notified, the secretary had stated, yes.

MEMORIALIZATION OF RESOLUTION:

None

ACCEPTANCE OF MINUTES:

Mr. Tighe made a motion to accept the Minutes of March 29, 2018 meeting. Ms. Lee made a motion to accept; seconded by Councilman Lembo.

Roll Call:

YES: Mr. Chodkiewicz, Mr. Davis, Ms. Lee, Councilman Lembo, Mr. Macagnone, Ms. O'Leary, Ms. Mantilla, Chairman Tighe

NO:

ASTAIN: Mr. Volosin

SITE PLANS/SUBDIVISION HEARINGS:

**Bedell, LLC (First Transit) – Site Plan
Block: 251, Lot: 1.01
880 Main Street, Sayreville**

Mr. Hugh A. McGuire III, Esq. stated he was the attorney for the above referenced applicant. Application property location at 880 Main Street, Sayreville referring to the above reference block and lot. This is a continuation of a prior meeting and due to the snow has been canceled. All publications, affidavits and notice to 200' resident's cards, along with Utilities Company have noticed and all paperwork has been submitted to the Planning Board Secretary. Mr. Rogoff has received, review and they are in order. The planning board has proper jurisdiction to hear this application. Mr. Rogoff has asked if the applicant has reviewed and agrees to the terms & conditions to the Engineer Report dated 1/12/2018 & Planning Report dated 2/1/2018, Mr. McGuire stated yes and they agree to comply. These reports become part of the record.

First Witness called, Mr. William Bowe is the project manager for Bedell, LLC, and Mr. Rogoff swore him in. Mr. Bowe is serving as an attorney but, as well as, the project manager since the applicant is a Florida resident. He is coming in as a liaison witness. Mr. Bowe will provide an overview of the project since he has been on the project for 2 years. The site is located at 880 Main Street, corner of Crossman Rd. South. This runs along creek bed across from the Mocco Property. The project location map is noted as A-1 for the record. The property in subject is in current remediation. The building that is on the site currently and concrete pads will be demolished and removed. The only portion of the site that is subject of development is 4.5/5 acres located 1/3 point down Crossman Road to the stream. The balance of site is heavily wooded and wetlands. They are looking to construct a bus terminal & facility for the employees. NJ Transit Access account will increase to 50 to 100 buses within 3-5 years.

Things have changed due to the testing completed by Arcardis – it was determined that there were many pockets of potential contaminants found at this site the types found were not listed at any EPA or DEP standards. Arcardis that picked 2 chemicals that had characteristics of what was found at this site, presented and DEP agreed to treat based on this. The proposed of one foot of soil will be removed of all soil, and backfilled with engineered subbase, and construct their structure and asphalt. 1 week before their first attempt of USEPA came up with new standards, Bedell has proposed and submitted to the DEP in the State of NJ. They are hoping they will act on this quickly for an approval.

Mr. Bowe noted there will be 2 areas of deeper digs on the site for soil removal, prior owner of the property will be responsible for the remediation. Mr. Rogoff asked, if when they received the DEP plan, the applicant will submit to the professionals for review. Mr. Bowe, stated yes – they only submitted the plan to DEP this week.

Mr. Davis asked, the removal of the footings, what are you planning to do with this? Mr. Bowe answered, they are looking to crush it up and reuse it for backfill on the site. They would prefer to recycle since there is a large amount of concrete.

Ms. Mantilla asked, are you able to submit the previous plan to the current plan? Mr. McGuire stated, they have the prior level plan and showing the worst case scenario. If the DEP comes back, they will need to resubmit to the professionals a new plan with DEP approvals. Mr. Bowes mentions they are before them on what they are looking to construct on the site. Anything that will change will be the subsurface change. That will not affect the building or parking lot. Based on the change, there will still be removal of contaminants. Chairman Tighe, asked the contaminant soil will that be shipped to a specific facility? Mr. Bowe stated, yes – that will be handled under the DEP.

Ms. O’Leary asked, first half of the property is where the pockets were found, the back wooded area, has that be tested and are you required to remediate? Mr. Bowes notes that there is ongoing test still on the site, but they have no plans to build in that area, mostly are wetlands.

2nd Witness -

Brian Decina – French & Parrello Associates, Mr. Rogoff sworn him in. Company is out of Wall, NJ and Mr. Decina is Senior VP of the Land Development Group, working with the Company for 20 years. Professional licensed Engineer in NJ, DE & PA and has testified in many courts. Mr. Chodkiewicz makes a motion to accept his credentials, Chairman Tighe, seconds this and unanimous agreed.

Mr. Decina has plan and makes this noted as A-2 for the record. Exhibit A-2 is an overall landscape plan, different sheet in the set. Exhibit A-2 is sheet 1 of 1 dated 2/7/2018 prepared by his office and under his direction. They are focusing on 4 acres in the center of the property. The applicant is proposing to construct an 11,500 +/- . The building would have 2 story office in the front and rear would be 6 bay garage for maintenance for the buses. Site access would be off of Crossman Road S. at 30 feet wide entrance. 91 stalls are proposed of parking, along the north edge. Heading south of the site 116 bus stalls to be s proposed around the side of the building. Directional signs and fire access around the building. The fence will be installed, motorized gate for access. Site lighting is proposed in the parking lot. Storm systems has been designed for the site. The site will be served by

Public water and sewer. They are proposing side walk to run south to north on the west side of Crossman South and a small monument sign. The existing building is 74.7' off the right away line. 100' front set back is required. Proposed set back is 77.9' and they will need to obtain a variance. A few zoning requirements lot/building coverage is 40%, Bedell is proposing 1.6% - building and pavement coverage is 80%, Bedell is proposal 12.94%. Terms of the bulk requirements, they are fully conformed besides the Crossman front set back. Monument signs are not permitted in the zone. Other companies within this industrial zone, Lot 2.01, Block 251, has a monument sign that will be similar with height and side. Not along main street, but down on Crossman.

Parking requirement within 100' – looking at the plan they are within that requirement. The existing concrete area is 4-5' from the set back. Bedell's dimension per their plan page 3 is 11.9' – 12'.

The one waiver that was requested in the planner's letter – 25% of the lot must be landscaped with 5% within the right away. With the current wooded area, they are proposing 20% of the area, and landscaping plan is limited due to the remediation. They are requesting this waiver but if the new regulations from the proposed plan to the DEP is approved, they will submit a new landscaping plan to the professionals for their review. Mr. Rogoff asked if this plan is the worst case, Mr. Desino stated yes.

Another waiver that is requested is 10% of landscaping is required around interior & parking area, similar to the cap issue and parking for bus & stage area, there is no availability or options to install concrete islands for landscaping. Again, this is the worst scenario. If down the road, the plan changes and they can provide, they will submit for professional review.

Last waiver for landscape shall be landscape and screened from road ways, due to environmental cap, if based on the new requirements and the cap can remain, the current landscape shall remain and they will enhance it with additional landscape.

Chairman Tighe has requested the applicant go through the Engineer and Planning report to acknowledge the items.

Engineer Report, Page 1 Section A 1-9 - agree. Page 2 – 10 – they will provide detail. 11 – Agreed. 12 they will provide documentation. Section B – they agree. Section C – they will provide. Section D – they will provide. Section E – agreed. Section F – 1, 2, 3, - waiver they spoke about and requesting. 4 – They will work with your office 5/6/7 – agreed. G – Agreed. H – They provided.

Planners Report – We agree with the variances. Mr. Leoncavallo’s report has 5 waivers, #1 – no longer needed and the other 4 yes – they are requesting the waivers. Planning Considerations - #1 – they will handle. #2 – submitted #3 –submitted #4b – amend the note #5 – shown in set of plans. #6 – they will provide #7 – submitted #8 – handled by First Transit.

Mr. Chodkiewicz asks, if they are not required to cap the first vegetation area, are you going to improve that area? They will not focus too much on that area, but will add additional landscaping. Mr. Chodkiewicz wants to know, are you going to clean it up? Mr. Bowes states, they will not remove but will clean up. They will present a plan with changes to the professionals. Mr. Leoncavallo will work with them on this.

3rd Witness:

Paul O’Brien – Regional Vice President of First Transit since 2000, Mr. Rogoff sworn him in. First Transit provides ADA services under contract under NJ Transit. They provide dispatching, drivers, drivers training, buses and maintenance for that service. The federal law requires that someone with a disability is able to be picked up within 3 ¼ of a mile of a bus route. They are driven to school, doctor appointments, work, and home, anything within the area. They service Middlesex, Monmouth and parts of Ocean Counties from this contract. 1800 square miles is the service area. First Transit operates 6 facilities for this contract throughout the state. They also provide buses for Rutgers and Princeton University. We have a large present, since 1996 – they are looking to make a long term goal. We have 51 vehicles, 42 mini buses, 9 sedans is the makeup. Total driver staff is 60, 6 maintenance staff, 13 support staff – total of 76 employees as of today that would move to this location. Hours of operation 3 a.m. to midnight. Starts 4:45 a.m. – 7 a. m. Return is 1 p.m. to 7 p.m. The hours can vary, put they are out very early in head of the morning rush. In 17 years, the process has not very much changed beside the size based on the passengers. Growth has been an average of 3% a year. They will leave the current site and relocate to the Sayreville location.

Ms. O’Leary asked about the vehicles, which are 42 mini buses, 9 sedans – totaling 51 vehicles. Chairman Tighe reconfirmed – a 3% growth a year. About 100 buses within 15 years and projecting 50 additional employees. Ms. O’Leary and Chairman Tighe liked the use, location and looking to stay in Sayreville.

Ms. Mantilla asked in their strategic plan, do they see an influx of employees or spike in year 5. Mr. O’Brien doesn’t see that happening but it’s hard to say. It’s based on need, and certification of need by a doctor. The growth has been steady.

4th Witness – Moh Mohiuddin of Arcadis they are consulting Environmental Firm. Mr. Rogoff sworn him in. Mr. Mohiuddin has a PhD, PE, and BCEE, LSRP and VP and Director of Engineering service for the firm. Ms. Lee made a motion to accept his credentials, Seconded by Mr. Davis, unanimous agreed. Licensed Site Remediation Professional is granted by NJDEP. Site containments PBDE & PBP, they are very uncommon and DEP did not have any standards. They are following standards on PCP. EPA has lower the numbers for their standard and they have submitted new application on Monday of that week. The time depends on the DEP, we cannot provide exact schedule. They are preparing the action plan and the backside action plan they will handle at a later date. Mr. Rogoff, states whenever the new remediate issue arises, you will provide that to our professionals to be review and approved, do you agree to this. Mr. McGuire agrees and states the DEP has to also approve first. We cannot pull a permit until your engineer signs off and that was a condition in the engineer report.

Mr. Mohiuddin made a comment that the remediation plan is for soil within 2 feet. DEP will have their requirements that the applicant must remediation on their terms.

Ms. Mantilla asked, the backside of the area the expected said they will handled at a later day, she would like clarification. The NJDEP has a dead line that all remediation must be completed by May 2021.

Mr. Davis asked if his firm does the actual work or do they oversee it. Mr. Mohiuddin, answered – the contractor works directly with them. Mr. Cornell states that the LSRP has taken over on the site. It used to be DEP, but now LSRP handles everything and watches over the construction, oversees and certifies the area. Mr. Mohiuddin will sign off on behalf of DEP.

Mr. Chodiewicz asked how was it determine of the depth of the soil, and how many were distributed on the site. Mr. Mohiuddin states, we have soil packs based on the old standards. Up to 8-10 feet below ground. They have completed vertical boarding. Samples were collected up to 10 feet and over a few hundred over the site.

Motion to the pubic open – there were no residents at the meeting. Chairman Tighe makes a motion to close the open public portion, Mr. Davis seconded, and all unanimous agrees.

The presentation is concluded.

Mr. Macagnone makes a motion to adopt the application with two variances, and four waivers. The two variances are the bulk which is a pre-existing condition and they are improving it and the sign, Mr. Davis seconded.

Roll Call-

YES: Mr. Chodkiewicz, Mr. Davis, Ms. Lee, Councilman Lembo, Mr. Macagnone, Ms. O'Leary, Mr. Volosin, Ms. Mantilla, Chairman Tighe

NO:

ABSTAIN:

OLD BUSINESS/NEW BUSINESS/ADMINISTRATIVE MATTERS:

Review of Capital Projects in accordance of 55D-31:

Ord. 395-18 Rehabilitation of the Pulaski Avenue Water Tank

Ord. 383-17 Construction & Installation of Two Turf Fields

Chairman Tighe stated these projects do not impact the master plan. He requests a motion to refer to the council as we have reviewed and no comment, Mr. Macagnone makes the motion, seconded by Mr. Davis, unanimous agrees.

Review of Draft Redevelopment Plan Hercules Redevelopment Area – the plan implements that this is in the need of redevelopment. The planning board has review and accept the plan as-is.

Councilman Lembo makes a motion to accept the redevelopment plan and provide notice back to council, seconded by Ms. Lee.

Roll Call –

YES: Mr. Chodkiewicz, Mr. Davis, Ms. Lee, Councilman Lembo, Mr. Macagnone, Ms. O'Leary, Mr. Volosin, Ms. Mantilla, Chairman Tighe

NO:

ABSTAIN:

The next planning board meeting will be May 16, 2018, and the May 2, 2018 will be canceled. Ms. O'Leary will be on vacation for the meeting on the 16th.

Mr. Davis made motion to open the public, seconded by Ms. Lee – unanimous agreed.

**There being no further business to discuss, Mr. Chodkiewicz made a motion to adjourn;
seconded by Mr. Macagnone.**

Respectfully submitted,

**Beth Magnani
Planning Board Secretary**