



March 26, 2025

Borough of Sayreville
Sayreville Planning Board
167 Main Street
Sayreville, NJ 08872

**Re: CP MD Jernee Mill Road Urban Renewal, LLC
Amended Preliminary and Final Site Plan and Minor Subdivision
Proposed Cold Storage Warehouse Facility
Block 58, Lot 2.01 and 9
Jernee Mill Road
Planning Review #1**

Dear Board Members:

In accordance with your authorization, our office has reviewed materials for the above-referenced site including the following:

- Borough of Sayreville Standard Development Application and Preliminary Major Subdivision and Site Plan Checklist signed by Timothy M. Arch Esq, dated, March 5, 2025;
- ALTA/NSPS LAND TITLE SURVEY, prepared by Colliers Engineering & Design, dated September 7, 2022 and last revised January 22, 2025,
- Overall Elevations Plan, prepared by RKB and dated March 4, 2025,
- Amended Preliminary and Final Site Plan and Minor Subdivision Plans, Prepared by Colliers Engineering and Design, dated June 12, 2023, and last revised March 24, 2025, consisting of 29 Sheets, and;
- Related application materials.

We offer the following comments for the Board's consideration:

1. Project Description

The amended preliminary and final major site plan and minor subdivision plan for Block 58, Lots 2.01 & 9, (the "Subject Site") proposes to amend the previous preliminary and final site plan approved by the Planning Board on September 4, 2024. In addition, the Applicant proposes to subdivide the 46.48-acre Subject Property into two lots, (A & B), 21 acres. and 25.50 acres respectively.

The previous approval was for the development of two Cold Storage Warehouse Buildings, in two phases. The Phase I building totaled 257,858 SF and the Phase II building was 99,529 SF. Both buildings were proposed at a height of 75 FT. The current Application contains no planned improvements for proposed Lot B, with the exception of a row of landscaping. The Plans for the

development Lot A include a Cold Storage Warehouse Building having a total building area of 255,466 SF at a height of 75 FT. The amended plans also include site improvements associated with the cold storage warehouse building, such as parking areas for employees and visitors, trailer parking, truck loading docks, landscaping, lighting, and stormwater collection systems.

Site Description and Surrounding Uses

The property fronts on the west side of Jernee Mill Road (Middlesex County Route 675) opposite Red Oak Lane's intersection with Jernee Mill Road. The Subject Property is vacant, with some truck parking occurring closer to Jernee Mill Road. It consists of approximately 46.48 acres, and is known as Block 58, Lots 2.01 & 9. The perimeter of the site is mostly wooded, while the center of the site, which represents the Borough's capped Landfill, shows signs of typical successional growth. In addition, the property is encumbered by a 100 FT wide Sewer right-of-way, which bisects the site, and Special Flood Hazard Areas and Freshwater Wetlands with associated buffers. Development is also limited to disturbances permitted as a condition of the Landfill's closure and remediation. The central portion of the property is capped Landfill #3, a remediated Superfund Site.

A history of site related previous approvals includes the 2011 Landfill and Melrose Redevelopment Plan, a 2016 Planning Board approval for the construction of a 560 megawatt (MW) combined cycle power plant, Redevelopment Plan amendment In March, 2024 to include Cold Storage Warehouses as a permitted use, and the previous preliminary and final site plan approved by the Planning Board on September 4, 2024.

With respect to the surrounding land uses, the Subject Property is bound by Jernee Mill Road to the east and South River to the west. Pond Creek is located along the northerly property line and Duck Creek flows along the southern property lines. Most abutting land uses are vacant apart from two contractors' yards abutting or approximate to the subject site on Jernee Mill Road.

Master Plan

The Borough's 2013 Master Plan designates the Subject Property as a Landfill Redevelopment District, consistent with the Zoning. The intent of the Landfill Redevelopment designation as a concept was to create an Industrial Park like environment in which businesses cooperate with each other and the community to efficiently share resources, i.e., such as information, materials, water, energy, infrastructure and natural resources.

Zoning Compliance

The project is in the Borough's SED Zone, which permits warehousing as a principal permitted use. However, the Zoning has been superseded by the property's designation as a Redevelopment Area. As a Redevelopment Area, a Redevelopment Plan was prepared having its own set of development standards, separate from the Zoning Ordinance. The Redevelopment designation for the property in question is an Eco-Industrial Redevelopment

Area (RA-EI) as identified in the March 2011 Redevelopment Plan. The Plan was amended March 25, 2024, to include Cold Storage Warehouses as a permitted use.

“The purpose of RA-EI Redevelopment Area is to establish an Industrial zoning district where multiple uses and buildings are permitted on one lot that fosters the development of innovative industrial uses which utilize a high standard of environmental and economic performance. These uses will promote an approach to industrial development that involves connecting within and across industries throughout the central New Jersey region and demonstrate well thought out practices that result in waste energy being used as resources.

Further, it is intended to promote adaptive reuse in the (RA-EI) district that recognizes existing environmental constraints; wetland and floodplain influence; existing environmental cap and NJDEP remediation requirements; a need to improve existing infrastructure (streets, storm drains, sidewalks, etc.). Sustainable site design should address water quality and quantity issues, shared connections and services.”

Minor Subdivision

The 2024 revision to the Redevelopment Plan contained the following provisions as it relates to Subdivisions.

11.6 Building Lots and Subdivision

11.6.1 A project to be developed pursuant to this Redevelopment Plan maybe of such a size or type so as make sectionalization by subdivision and the use of different forms of ownership a practical necessity. Therefore. A technical subdivision for such a project may be required for marketing or financial purposes. An application for technical subdivision approval may be submitted with an application for approval of a site plan or subsequent to the issuance of such an approval. Such an application shall be considered as a technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances (such as for lot area) that would technically be required subject to the following:

- 1. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of a site plan approval.*
- 2. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.*
- 3. A technical subdivision must not reduce, limit or modify parking or access to parking.*
- 4. If a technical subdivision includes the division of parking or other common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, signage, stormwater management and/or utilities where necessary.*

11.6.2 Existing and proposed lots within the Redevelopment Area shall not be required to front on or to abut a public street, provided adequate access from a street is provided for vehicular access. stormwater management access. and utilities. through one or more other lots. This shall

not be interpreted to provide exemption from N.J.S.A.40:55D-35, however same shall be considered satisfied if adequate access from a street is provided for emergency vehicles. through one or more other lots via easement or other legal mechanisms acceptable to the Borough.

While proposed Lot B will not have frontage on an approved public right-of-way, However, a series of easements will be necessary to allow the two lots to function seamlessly as it relates to cross access, utility construction and maintenance and shared facilities, such as stormwater detention.

2. Bulk Standards and Required Variances/Waivers

The bulk standards for the Eco-Industrial Redevelopment Area (RA-EI) are detailed below:

Standard	Required	Proposed Lot 6.02	Proposed Lot 8.01
Minimum Lot Size – Acres	5 AC.	20.98 AC.	25.50 AC.
Minimum Front Yard Setback-Principal & Accessory Buildings	50 FT	86.5 FT	N/A
Minimum Side Setback Principal & Accessory Buildings	50 FT	144.61 FT	N/A
Minimum Rear Yard Setback Principal & Accessory Buildings	50 FT	172.55 FT	N/A
Maximum Height – Principal Building	75 FT	75 FT	N/A
Maximum Height – Accessory Buildings & Outdoor Material Storage	40 FT 25 FT	N/A	N/A
Maximum Impervious Lot Coverage	85%	54.53%	0%
* Variance required			
** Pre-existing non-conformity.			

Variances:

No variances appear to be required.

Waivers:

A listing of required design waivers are included in the 2025 Board Engineer’s report for this project. We reserve the right to provide additional comments if additional variances or waivers are identified.

The applicant should be prepared to provide testimony on the following to support variance relief, if applicable:

- a) Positive Criteria
 - i) Purpose of Municipal Land Use Law will be promoted by the proposed deviation; and
 - ii) The benefits of the deviation substantially outweigh the detriments.
- b) Negative Criteria
 - i) The proposed deviation will not result in a substantial detriment to the public welfare; and
 - ii) The proposed deviation will not substantially impair the intent and purpose of the master plan and the zoning ordinance

Furthermore, in accordance with N.J.A.C. 5:21-3.1(a), local land use boards have the power to grant "...de minimis exceptions..." from the requirements of the RSIS. While we defer to the Board Engineer regarding any required de minimis exceptions or waivers from RSIS, the Applicant should be prepared to provide testimony on whether any relief from RSIS is required.

3. Planning Comments

- i. Applicant should testify regarding the status of SERA's approval of the amended plans.
- ii. Applicant should provide the Board with a side-by-side comparison of the plans approved by the Board last year and the current plans, describing any area of proposed change.
- iii. Applicant should display a Plot Plan for the Board's review that clearly depicts the proposed line of subdivision.
- iv. The plan set should include a separate plat that shows the subdivision line, easements and outbound dimensions.
- v. Applicant shall have the Borough Assessor assign Lot numbers for the two new lots.
- vi. As mentioned above, the Applicant will be required to provide easements between it and the future owner/occupant of Lot B including but not limited to, cross access, maintenance, installation of utilities and shared facilities to be reviewed and approved by the Boards Professionals.
- vii. The Landscape Plan depicts an area of landscaping along what would be Lot B's easterly property line, which will require an easement.
- viii. It appears that the Applicant has provided a public access easement in the southern section of the site as required by the NJDEP. The Applicant should identify and describe the easement for the Board. In addition, it appears some additional safety fencing may be required at the easement's western terminus adjacent to areas of steep slopes.

- ix. Given the volume of the building, coupled with variable subsurface conditions, it is recommended the Applicant consider requesting a 1 foot height variance or other similar flexibility for relief as it pertains the construction of the 75 foot building. This would be a de minimis exception and would allow for some flexibility in grading around the building's perimeter.
- x. Building design: The applicant should describe any significant differences in the building design and operations versus the building included in the existing approval.
- xi. The Applicant should address whether any of the general operating procedures for the proposed building may change, such as the hours of business operation, the number of employees on a maximum shift, the type of items stored, delivered, and shipped, the frequency of the truck traffic and the type of trucks most often onsite.
- xii. The Applicant should discuss any changes in circulation of vehicles and pedestrian circulation. As pedestrian circulation is a required component of the Redevelopment Plan, which is intended to allow the safe movement of people from parking areas to building entrances, and from building to building, as noted by the previous Board Planner, in order to ensure safe pedestrian movements, a network of sidewalks, depressed curbs, and crosswalks is required. The applicant should provide testimony regarding pedestrian circulation improvements. Depending on the testimony provided, it may be necessary for the Applicant to work with the Board's professionals to reasonably enhance the site's pedestrian elements as a condition of approval.
- xiii. The Applicant should discuss whether any landscaped outdoor gathering areas are proposed to be created for employees.
- xiv. The Applicant shall recognize that it is subject to affordable housing development fees and/or other obligations per the Borough's Affordable Housing Ordinance and/or the Redevelopment Plan and Redevelopers Agreement.

We reserve the right to present additional comments, variances, and/or design waivers pending the receipt of revised plans and/or the testimony of the applicant before the Board. Should you have any questions or require additional information, please do not hesitate to contact us.

Very truly yours,

Acuity Consulting Services



Peter Van den Kooy, PP, AICP
Planning Board Planner