

GREEN TOWNSHIP LAND USE BOARD MINUTES

REGULAR MEETING, April 11, 2019

CALL TO ORDER: The April 11, 2019 Regular meeting of the Land Use Board was called to order by Mr. Scott Holzhauser, chairman at 7:06pm. He then led everyone in the PLEDGE OF ALLIGIANCE.

Recitation of the OPEN PUBLIC MEETING STATEMENT by Mr. Holzhauser.

ROLL CALL: Present: Mr. Joe Cercone, Mr. Jim Chirip, Mr. Dan Conkling, Mr. Jim DeYoung, Mr. John Lynch, Mr. Jeff Wilson, Mr. Rick Wilson and Mr. Scott Holzhauser.

Also present: Mr. Maxwell Vandervliet (in for Ms. Jessica Caldwell, Board Planner), Mr. David Brady, Board Attorney and Mr. Cory Stoner, Board Engineer.

Members Absent: Ms. Rosa Alves, Mrs. Sharon Mullen, Mr. Michael Muller and Mr. Watson Perigo

Motion was made to excuse the absent members by Mr. Chirip and seconded by Mr. J. Wilson
No Discussion. All in Favor. Motion Carried.

OATH OF OFFICE: Mr. Jim DeYoung and Mr. John Lynch for changing alternate order

MOTION TO APPROVE MINUTES:

Land Use Board Minutes of February 14, 2019.

Mr. R. Wilson motioned to approve minutes and was seconded by Mr. Conkling.

No Discussion. All Ayes. Abstentions: Mr. Chirip

Mr. Holzhauser asked about the tax map fee and Kim explained that there is one listed under the land use fees.

RESOLUTIONS:

Application: LU#1901

Owner/Applicant: Russell Pittenger

Block 19 Lot 13 – 143 Creek Road, Andover, NJ 07821

Action: Memorialize approval

Mr. Brady mentioned the \$250 tax map fee requirement is already in the resolution.

A motion was made to memorialize the approval made on February 14, 2019 by Mr. Conkling and was seconded by Mr. R. Wilson.

Roll Call Vote: Mr. Conkling, Mr. J. Wilson, Mr. R. Wilson and Mr. Holzhauser.

All Ayes. No Discussion. Motion Carried. Abstentions: none

OLD BUSINESS:

Update on Airport Road, LLC major subdivision –

Ms. Megan Ward, attorney for the applicant, began with a brief explanation of the history of Airport Road LLC.

-final major subdivision approval March 2010.

-perfected in March 2012

-developer's agreement with the town in March 2012

-developer's agreement with the county

-recorded easements to the county for road right of way, drainage and a new site triangle easement (the county and township vacated an old site triangle easement) - April 2012

- Recorded deed of restrictive covenants for entire subdivision. It started at over 85 acres and was subdivided into 8 different lots between 10 and 11 acres in compliance with the AI10 zone. All conveyed to separate entities and all block 31 - March 2012
- Original lot in front with farm house was conveyed to Farm Hill, LLC lot 1.02
- Overland Traverse, LLC lot 1.03
- Pine Summit, LLC. lot 1.04
- Forest Flats, LLC lot 1.05
- Cedar Peak, LLC lot 1.06
- Emerald Glen, LLC lot 1.07
- Oak Run, LLC lot 1.08
- Ridge Rock, LLC lot 1.09
- Ridge Rock, LLC received preliminary/final site approval in October of 2012
- Oak Run, LLC received preliminary/final site plan approval October 2012
- Cedar Peak, LLC received preliminary site plan approval in June 2014

Mr. Allen Campbell, the engineer for the applicant began by explaining the layout for the various sites included in the Airport Road LLC subdivision. He referred to an exhibit from 2014

- Industrial park is a long, straight road with a cul-de-sac at the end and 8 lots surrounding the road on either side.
- Ridge Rock (approval in 2013) is the site at the bottom near Airport Road with a building size of about 14-15,000 square feet.
- The site above, which is mostly finished is Oak Run, approximately a 64,000 square foot building footprint.
- Emerald Glen building, in concept, would be around 70,000 square feet.
- Roadways, driveways and common services will be integrated to minimize and provide logical circulation.
- Cedar Peak is proposed as a regional warehouse at about 100,000 square feet. The idea is all these facilities could use this one central warehouse. All the activity of the warehouse would be on the Airport Road side, so the building helps provide a buffer to the back which is the tree lined, buffered residential area.

Ridge Rock

- Will be reactivating Ridge Rock approvals. Foundation permit had been acquired but no action was taken so building department sent it back.
- This year the applicant will continue the site grading, file for the construction permits and, hopefully, have it completed within a year.

Oak Run

- Site work is progressing nicely, about 80% complete.
- It is anticipated this building will be done by the end of the summer.
- So far, nothing has materialized on what the building will be used for.

Cedar Peak

- The pad for this site is very large and all surplus materials from the other sites are going to Cedar Peak to help fill the area to be graded and is used in site prep.
- Site grading will continue over the next year with construction permits obtained within two years.
- No material needs to be removed from the properties.
- Road has been constructed and is paved just beyond the crest of the hill.
- Millings base up around the back to the cul-de-sac.
- Necessary utilities are going in.
- The applicant is pursuing natural gas which is on its way down Whitehall Road to the NVE facilities and hopefully will be coming down to this site.

Mr. Stoner stated that all 3 sites they have approvals for are at different levels of construction. Septic systems are in for all 3 lots.

Mr. Campbell explained all 8 lots have septic systems.

Stormwater

-There is a basin that catches everything from the ridge line to Airport Road. When the applicant proceeds with Ridge Rock the pond will be finished off.

-The other regional basin is at the end of the cul-de-sac parallel to the lot line of Cedar Peak going to the rear property which catches from the crest of the hill down.

-Both basins were designed for surplus.

Update on Ridge Rock, LLC Site Plan –

Mr. Campbell began with a brief history of the architectural features and how they changed starting in 2012. He explained the resolution required the applicant to come back to the Board if there were any changes in the architectural plans for the building.

-The current plan will go back to the split block from 2012 which is anticipated to be gray in color, a steel frame with metal siding which will be horizontal and vertical, blue windows and a solid door, not a recessed door.

-No changes in the type of use or the size of the building. Strictly architectural.

Ms. Ward referred to condition 13 of the 2012 memorializing the approval for Ridge Rock stating an amended site plan application may be required for any floor plan or façade alterations.

Mr. Brady will draft a resolution stating there was a motion to find the Board did not require an amended site plan application for the change in the architectural features that were discussed at the meeting. He will reference Exhibit A1 which is the Right Side Elevation.

Mr. Conkling made a motion that the Board does not need an amended site plan for the change in the architectural features and the color scheme is acceptable. It was seconded by Mr. J. Wilson.

Roll Call Vote: Mr. Cercone, Mr. Chirip, Mr. Conkling, Mr. DeYoung, Mr. Lynch, Mr. J. Wilson, Mr. R. Wilson and Mr. Holzhauer

All Ayes. No Discussion. Motion Carried. Abstentions: none

NEW BUSINESS:

Application: LU#1902

Owner/Applicant: Forest Flats, LLC

Block 31 Lot 1.05– Airport Road, Andover, NJ 07821

Action: Completeness and Public Hearing

Unfortunately, the first 2 minutes of Ms. Ward's opening was almost completely inaudible due to paper shuffling throughout the room.

Mr. Stoner said he did not have an objection to all the items she stated and he believes the application can be deemed complete.

A motion to deem the application complete was made by Mr. Conkling and seconded by Mr. Lynch.

Roll Call Vote: Mr. Cercone, Mr. Chirip, Mr. Conkling, Mr. DeYoung, Mr. Lynch, Mr. J. Wilson, Mr. R. Wilson and Mr. Holzhauer

All Ayes. No Discussion. Motion Carried. Abstentions: none

Ms. Ward explained Mr. Occhifinto is not present because his son had a play and he was attending that.

Mr. Allen Campbell, the applicant's engineer, was sworn in by Mr. Brady.

Mr. Campbell began by explaining where Forest Flats was located within the Airport Road subdivision and that it is slated to be a fish farm.

- It is clear of any wetlands or transition zones.

- It is located the airport zone.

- In the AI10 zone and this building will be used for agricultural purposes but still conforms to the industrial type use.

- Exhibit A1 – sheet 3 of the site plan set, titled Forest Flats LLC, lot 1.05 block 31, dated March 2019, the sheet as presented to the Board. This has an addition of landscape information; it is colored to help understand phases of development and what the side view of the building will look like from the cul-de-sac.

- There is a limited amount of architectural information for the building because a fish farm is uniquely different. It has a 72,000 square foot footprint.

- 138 feet wide building of which 120 feet is (inaudible). Split block in gray on the bottom with a white wave on steel metal siding and a primary color of blue for the rest.

- The cul-de-sac has an access drive that splits lots 1.04 and 1.05 and they are going to incorporate sharing a driveway. There are designated locations where they anticipate and have designed for future access drives to parking areas on that adjacent property.

- Lighting for the access drive, some on this property and some on the other. The lights will be installed and maintained by Forest Flats. They will be responsible for all the site improvements on this site plan and when the applicant comes back for the adjacent property changes will be made at that time.

- There are numerous agreements that have been established since the onset of the subdivision; the maintenance of one the basins is taken care of by Airport Road LLC and the other basins are taken care of by the individual lots.

- The access road to the building is on the side. There are two parking areas with approximately 27 parking spaces and three loading bays that are 50 feet wide each. The loading dock will be 15 feet wide and 600 feet long. The first bay will at garage level, the second will be at a 4-foot elevation and the last will be at about a 2-foot elevation.

- The design has the activity towards the Airport Road side which helps use the building as a buffer to the residential area.

- Minimal landscaping proposed between the building and the cul-de-sac. There is a rain garden that will help catch some of the stormwater in the front.

- The majority of the building and site drain over to the existing basin at the end of the cul-de-sac. There is an additional basin in the center between the driveway and the building access and another in the rear which can be turned into 133 parking spaces with a loop around the building in the future should there be a change of use.

Ms. Ward pointed out the basin on the Cedar Peak Property would be an easement. She also stated that the improvements for the parking lot in the back of this building are considered a “phase 2” and are not being built at this time, it is only to show the design for a possible future use.

Mr. Campbell spoke about the lighting plan.

- All the lighting in the front of the building (north side) is shown on the lighting plan.

- Each of the 5 man doors in the rear will have a security light.

- All of the wiring in the back will be done for a potential change of use in the future but only the 5 security will be installed.

- There will be a graded lawn area in the rear that can be accessed from the parking lot, if necessary, for emergency vehicles.

The activity of the fish farm is a little quieter than most of the local farms.

- The hours are 24/7 because of the live animals.
- Trucks can be going out at different times of the morning to deliver to NYC.
- Fish are alive when they leave the building.
- There are 10 employees and a limited amount of truck traffic.
- There is no HVAC for this fish farm.
- There will be generators which are built in containers with an insulation box. They will be located on the front, loading dock side of the building and not on the residential side. They will be buffered by the building, the yard and the tree line in the rear of the property.

There are no parking requirements for agricultural use but there are 27 proposed.

Mr. Campbell introduced a *you tube* video to help explain the business. The Board watched this 4 minute and 10 second video titled "American Cobalt Aquafarms".

There was a brief discussion about the space behind the building and the potential for access for emergency services. It is a flat, grassy area that will be graded and can be driven on if needed.

Ms. Ward stated any suggestions or requirements from Mr. Stoner in regards to stormwater will be addressed with no arguments from the applicant.

Mr. Holzhauer stated, for the record, that he did not want to see any storage areas in the rear of the building which will be included in the resolution. The dumpsters are located in the front near the loading dock. No storage areas in any unpaved areas.

Mr. Stoner asked about windows. Mr. Campbell said there were no windows in the plan.

Mr. Stoner said there were a few minor details he needed answered with regards to the architectural plans. He will need more information when it becomes available.

The town requires 5% of interior parking area to be landscaped and one tree per 10 spaces.

Additional requirements for foundation plantings and buffer around the parking areas. Ms. Ward stated waivers have been requested for those requirements. Mr. Campbell explained no one can see this property from the road, it is an industrial park and it is in the middle of the woods.

There will be a small triangle of plantings at the curb.

Mr. Conkling asked about the size of the lots and what was on the other side of the trees in the back of the property. The lot sizes are believed to be around 3 acres and there is no one directly behind this building.

Mr. VanFleet confirmed the tree buffer will remain if phase 2 will be built with the parking area in the back.

Ms. Ward stated they received Ms. Caldwell's report and they have no objections to her comments.

Mr. Chirip confirmed the fish are leaving live so there will be no processing of the fish in the building and there will be no retail sales from the building.

Mr. Campbell briefly explained what he knew of the filtration process for the water. If the filters are ever taken out there is a 60-70,000-gallon water tank under the building for fire suppression.

Mr. J. Wilson asked about the waste from the fish. Mr. Campbell explained the filtration system takes care of all of the waste and sometimes the residue is dried and used for fertilizer.

Mr. Cercone questioned how the fish farm is regulated. Mr. Campbell explained the water quality and animal activity are completely monitored by federal and state regulations. The state does inspections of the facility. He also asked about the food source. Mr. Conkling, who had been Mr. Occhifinto's Andover facility, said it looks like a bag of dog food.

Mr. Holzhauer noted there was no public present and closed the public comment portion of the meeting.

Mr. Brady asked about any signage that may be posted on the property. There is a sign in the works for the bottom of the hill near Airport Road.

A motion to grant the waivers was made by Mr. Chirip and seconded by Mr. J. Wilson.

Roll Call Vote: Mr. Cercone, Mr. Chirip, Mr. Conkling, Mr. DeYoung, Mr. Lynch, Mr. J. Wilson, Mr. R. Wilson and Mr. Holzhauer

All Ayes. No Discussion. Motion Carried. Abstentions: none

Conditions of approval:

1. Add the details to the plans as per Mr. Stoner's report.
2. No outdoor storage behind the building or on the sides.
3. If there is a change of use the applicant needs to come back to the Board.
4. The applicant will submit architectural drawings to the professional for review in place of coming back to the Board.
5. No processing of fish.
6. No retail sales.
7. Waste products disposed of per state and federal regulations and not on site.
8. Subject to all easements being worked out per Mr. Stoner's report

Lighting on site will be as follows:

- Back will have security motion detector lights.
- In front will possibly be 24 hours a day.
- Lights along the access road and under the canopy.
- All lights will be pointing downward.

A motion was made by Mr. Conkling to approve application LU#1902 and was seconded by Mr. Cercone.

Roll Call Vote: Mr. Cercone, Mr. Chirip, Mr. Conkling, Mr. DeYoung, Mr. Lynch, Mr. J. Wilson, Mr. R. Wilson and Mr. Holzhauer

All Ayes. No Discussion. Motion Carried. Abstentions: none

The Forest Flats application ended at 8:35pm

The ECHO Ordinance was tabled to the next meeting in May.

Mr. Holzhauser noted there was no public present and closed the public comment portion of the meeting.

- **ATTORNEY'S REPORT** – Mr. Brady explained the new information coming in about Cell Towers and colocation. These companies are able to do almost anything without coming back to the Board. He briefly spoke about the change in legislation on the state level. Mr. Stoner stated the providers could change the height of the tower by 10%. On some, only a zoning permit and a building permit are needed.
- **CHAIRMAN'S REPORT** – none
- **CORRESPONDENCE** – none
- **SECRETARY'S REPORT** – Kim reminded everyone about their financial disclosure statement, they are due by April 30th. She also explained the word “special” will be added to item no. 3 on the Land Use Checklist and a form will be created to add to the application to tie up a loose end with that item number.
- **PROFESSIONALS REPORT** – Mr. Stoner stated Airside is moving along quickly as is Crossed Keys. Mr. Holzhauser asked about the bond costs and Mr. Stoner said he still needs to address it.

Mr. Conkling spoke briefly about the natural gas line and how the Township Committee is trying to push to get more natural gas in the area.

A Motion was made by Mr. J. Wilson to adjourn the meeting at 8:47 and seconded by Mr. Conkling. All Ayes. No Discussion. Motion Carried. Abstentions: none

Respectfully Submitted:

Kim Mantz, Land Use Board Secretary
Date approved: