

MINUTES - PLANNING BOARD

Workshop meeting of December 5, 2018

WORKSHOP PORTION. Ms. Murray called workshop portion of the meeting to order at 7:40 pm.

1. COMMUNICATIONS

None

2. RESOLUTIONS OF MEMORIALIZATION

Application # PBA-18-00007

Rinaldo Partners, LLC

68 Burnside Avenue

Block 403 Lot 15, R-5 Zone

Applicant in this matter is seeking a minor subdivision to subdivide the existing lot into two new lots and construct two new 2.5 story single family homes.

After discussion, a motion to adopt the resolution approving Application PBA-18-00007 was made by Mr. Cossa seconded by Ms. Pedde with the following voting affirmative: Ms. Murray, Ms. Feder, Ms. Pedde, Mr. Cossa, Dr. Chapman, Mr. Taylor and Mr. Aschenbach. Mayor Hannen voted against the Resolution.

3. MINUTES

Motion to adopt minutes of the November 7, 2018 regular meeting, as amended, was made by Mayor Hanen and seconded by Ms. Pedde with the following voting affirmative: Ms. Murray, Dr. Chapman, Mr. Cossa, Ms. Feder, Mayor Hannen, Ms. Pedde, Mr. Taylor and Mr. Aschenbach with Deputy Mayor Dooley abstaining.

4. OLD BUSINESS/NEW BUSINESS

None

Public Comment:

Rita LaBrutto – 104 Arlington Road - Stated she was looking for the mapping of the overlay area. Thought that it would include the address, block, lot and acreage for each property. Went onto the website did not see it.

PUBLIC HEARING - ROOM 107

1. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Ms. Murray called a public meeting of the Cranford Planning Board to order on December 5, 2018 at 8:15 p.m. in Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Ms. Lenahan announced this meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this meeting has been provided by publishing of the Board's annual schedule of meetings in the Westfield Leader and the Star Ledger with the agenda specifying the time, place and matters to be heard having been posted on a bulletin Board in the Town Hall reserved for such announcements and the filing of said agenda with the Township Clerk of Cranford. Formal action may be taken at this meeting.

2. FLAG SALUTE

3. ROLL CALL:

Members Present:

Ms. Murray
Ms. Anderson
Dr. Chapman
Mr. Cossa
Deputy Mayor Dooley
Ms. Feder
Mayor Hannen
Ms. Pedde
Mr. Taylor

Alternates Present:

Mr. Aschenbach
Ms. Didzbalis

Alternates Absent:

None

Also present:

Mark Rothman, Esquire; Ron Johnson, Zoning Officer; Kathy Lenahan, Administrator/Scribe, Bill Masol, Engineer

4. Application # PBA-17-00004- Continued from November 28, 2018

Hartz Mountain Industries

750 Walnut Avenue

Block: 541, Lot: 2, C-3 Zone

Applicant is seeking to rezone the subject property to eliminate the office and warehousing uses in favor of multi-family residential use (§136-13).

James Rhatican appeared on behalf of the applicant. Stated that Mr. Martell, their Civil Engineer will testify to the revisions to the Concept Plan Set, the EIS and Storm Water Management Report. Revised plans dated 11-28-18 are marked Martell 1–23. Cover sheet is C1. Each page has a designation. Also submitted a cover letter and summarized the changes.

Jeffrey Martell, appeared and was reminded he was still under oath.

He testified to the following through questions posed by Mr. Rhatican:

Described the changes that they submitted as revised Zoning Plans, an EIS and a Storm Water Management Statement all dated 11-28-18. Stated they are introducing two underground detention basins and expanding the above ground detention basin on the southern end of the property and creating a new above ground detention basin on the northern end of the property.

Because they are disturbing over an acre of land, this is considered a major development by the Township Ordinance, the DEP and the County. Discussed the runoff requirements for a major development and the requirements for water quality.

Discussed the parking layout. Retained the 9 x 18 feet spaces, but have added landscape islands in larger parking areas where there were too many spaces in a single row. Still are compliant with the RSIS for total number of parking spaces in Phase One and Phase Two.

Discussed the berm in front of the property. They removed the detention basin on north side of center driveway along Walnut Avenue. Will create a berm similar to the existing one on south end of the property. (Sheet C17). Building B will have an existing berm. Center driveway berm will not be retained, but will regrade area north of driveway and establish a new berm.

Discussed the fire access lanes being 20 feet wide and centered in a 50-foot setback. Revised the design to 26 feet wide and 15-foot setback between access road and buildings. Showed firetruck templates (Sheet C22).

Discussed the EIS. Stated 14 test pits were performed and there were no unique conditions. Described the soil types found and stated that 2 tests found ground water. Stated there was a topography survey submitted. Site is flat with exception of the berms. Site has no vegetation. Discussed tree replacement calculations. Stated there is no rare or endangered wildlife, and no wetland or floodplains. No impact on surface water. There are no wells on the property. Rail adjacent to the property has no negative impact. Two historic areas are the Rahway River and Sunny Acres district which is 1600 feet away. Discussed the water quality and supply. Stated they included letters from New Jersey American Water and RVSA. NJ American Water has adequate capacity and RVSA has capacity at treatment plant. Stated they will need to comply with the air and noise requirements.

Questions posed by the Board ascertained the following:

Mr. Martell is here as an engineer not a planner. He prepared the EIS Report and he was the draftsman. Stated it is his opinion and he stands behind it.

Ms. Murray opened the application to the public for questions of the witness with the following appearing:

Jeffrey Pistol – 243 Hillside Avenue – Asked if any chemicals were found in the soil or the water testing.

Mr. Martell stated they did not test for that as part of the EIS.

Gerry Caprario – 46 Elizabeth Avenue – Asked about 5 out of the 14 test pits containing fill

and if there is more information on the type of fill there was. Asked if Hartz had any information and what type of firm would do that type of testing.

Mr. Martell stated it is not a natural soil, may have been man altered. Does not characterize as unique. He does not have any information from Hartz and it would be an environmental testing firm.

Board member asked Mr. Martell to read Note One in Appendix C. Also asked who retained Melick-Tully and what did they do.

Mr. Martell stated the plot plan should be read with a report. Not sure if Melick-Tully actually prepared a report, will get clarification. He did not get a copy of the report, he will have Melick-Tully amend the note.

Don Styles – 244 Hillside – Asked about the sign on the Hyatt Hills fence and an investigation by the DEP.

Mr. Martell stated they did not look into that investigation and Hartz would have been notified if they were part of that investigation.

Don Smith – 21 Oneida Place - Asked when his firm was brought onto the project and what information they received from Raritan Valley regarding impacts they might have.

Mr. Martell stated they were brought in approximately 2 years ago. They provided Raritan Valley and NJ American Water with projected water and sewer outflow. They issued a letter and stated they have capacity. Stated typically with this type of project, improvements need to be made.

Mr. Rhatican stated it is Rahway Valley not Raritan Valley.

Justin Quinn – 316 Walnut Avenue – Asked if he is being offered as a pedologist, environmentalist, geologist, or a chemist and does he have an expertise in soil composition. Asked if he is qualified to offer testimony on environmental studies. Asked if Hartz testified that they would provide information as to whether soil on site was contaminated.

Mr. Martell stated he is only being offered as a civil engineer. Stated it is up to the Board to make that determination. Asked Hartz for any environmental or geotechnical reports and was provided with a report from when the BOA was built.

Mr. Rothman stated the witness has been qualified as an expert in civil engineering.

Board member asked Mr. Martell if he asked about the history of contaminants in the soil.

Mr. Martell stated he did not ask that question. Has been told of the historic uses. Stated NJ has specific requirements that need to meet for a residential development and would be the responsibility of owner and developer.

Board member asked that given the history of site and of adjacent property, should Hartz have looked at that as part of an environmental impact statement.

Mr. Rhatican stated the requirements are very specific in the ordinance for an EIS.

Kathy Allegro – 17 Shetland Drive – Asked about a meeting in August where there were questions from board members and the public about soil contamination and the history of the site.

Mr. Martell stated he understands the concern. At this time, it is not part of the request for rezoning.

Gerry Caprario – 46 Elizabeth Avenue – Asked about looking into the historic uses of the site. Asked about the USGS maps and the rail spur and about prior uses at the site.

Mr. Martell stated they looked at historic aerials and has been told things about the property. Stated he has looked at the USGS maps. Did not look into any of the previous historic uses at the site.

Tom Roettker – 347 South Union Avenue – Asked when was the inquiry to Rahway Valley Sewer.

Mr. Martell stated it was Sept. 15, 2017.

Angela Leary – 4 Behnert Place – Asked about the ladder fire trucks and will roadways be able to support more than one fire truck. Asked about snow clean up.

Mr. Martell stated the property can support multiple fire trucks and emergency vehicles at any given time. There is a number of different paths through the property. At site plan they will look at that level of detail. Snow would be pushed to the green space. Not using detention basins for snow removal.

No one else appeared and this portion of the hearing was closed with the matter referred back to the Board.

Mr. Rhatican asked Mr. Martell about reviewing the planning reports prepared by Mr. Hughes.

Mr. Martell stated he consulted with and referenced Mr. Hughes on the Township Master Plan and the Union County Master Plan. He has prepared and testified to the EIS as a civil engineer in the past on other projects.

Mr. Rhatican stated they are not insensitive to the concerns and understands there are concerns by the community and the municipality on the environmental condition of the property. It is not a requirement of the ordinance, and will be addressed at the appropriate time. Feels the property can be developed as a residential use with the DEP oversight.

Mr. Rothman stated the next regular meeting is December 19th. This matter is adjourned until Dec. 19th when the next Hartz date will be announced.

Mr. Rhatican stated that Mr. Penke is available on Jan. 30, Mr. Hughes is available on all Wednesdays at the moment and they are open to another day of the week.

Ms. Murray stated that on Dec. 12th and possibly the 13th there will be a hearing on the Housing Plan Element and Fair Share Plan at 7:30 p.m.

8. PUBLIC PORTION

Rita LaBrutto – 104 Arlington Road - Asked if the 02 Zone is included in the North Avenue overlay zone.

Mr. Johnson stated it is not included.

TJ Elgin – 13 Pershing Avenue – Appeared and was sworn in. Stated that it appears that there was information that was not given to the civil engineer and that the reports possibly lack integrity. Stated that the residents need integrity and need to know that Hartz will partner with the residents to use this land in the best way possible.

Kathy Allegro – 17 Shetland Drive – Asked who the witnesses will be coming back for Hartz.

Mr. Rhatican stated Mr. Penke, the Traffic Consultant and Mr. Hughes, the Professional Planner.

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 9:41 p.m.

Donna Pedde, Secretary