

**MINUTES - PLANNING BOARD
SPECIAL MEETING**

Workshop meeting of September 12, 2018

WORKSHOP PORTION. Ms. Murray called workshop portion of the meeting to order at 7:36 P.M.

1. **COMMUNICATIONS**
 None
2. **RESOLUTIONS OF MEMORIALIZATION**
 None
3. **MINUTES**
4. **OLD BUSINESS/NEW BUSINESS**
 Discussion of pending applications on the calendar. Discussed criteria for special meetings.

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 September 12, 2018 at 8:02 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
Mr. Cossa
Deputy Mayor Dooley
Ms. Feder
Mayor Hannen
Ms. Pedde
Mr. Taylor

Members Absent

Dr. Chapman

Alternates Present:

Mr. Aschenbach

Alternates Absent:

Ms. Didzbalis

Also Present:

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

Ms. Murray stated this is a Special Meeting due to a holiday on September 19th and that meeting has been cancelled.

4. Application # PBA-17-00004- Continued from September 5, 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 he has two witness this evening. An industrial market expert and a traffic consultant. Stated he wanted to have the industrial expert testify first.

William Sitar, appeared and was sworn in. His credentials were presented to the Board and after various questions regarding his experience, he was accepted as an expert witness in the field of the northern New Jersey industrial market.

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

Described listings that he has in the industrial market including 265-271 Central Avenue, Clark which he is trying to sublease for a tenant. Having a hard time leasing the building due to issues with truck traffic. Also 51 Terminal Way, Clark where Prompt Care was, trying to lease or sell. Also, Mack Boring on Rt. 22, sold their building and he moved them to Somerset. Described the Cranford submarket. Stated he has done small office leases: one at 340 North Avenue and one at 409 North Avenue East.

Is familiar with the 750 Walnut Avenue site. Has toured the buildings and drove the market. Described Hartz's efforts to lease the buildings. Stated they are professional landlords and work hand and hand with the brokerage community.

The BOA space in his opinion is not be suitable for an industrial user. Stated industrial users are looking for high ceilings and cross loading. Stated the ceilings in these buildings are low and the depth is too deep for today's users. New buildings have 32-foot or even 36-foot ceilings. Does not know if BOA has a basement.

Stated that if buildings were demo'd you could build a 500,000 to 600,000 square foot site but no one would build it on spec. Not an industrial location for today's market. Described the routes trucks would need to take. Stated New Jersey is terrific for industry because of the New Jersey Turnpike.

Stated there is some industrial sub-market in Cranford on Commerce Drive where Mack-Cali was and also on Jackson Drive, but the buildings are old and have low ceilings which are not appealing to today's market. If it became an industrial site, would be much more onerous on the neighborhood.

Deliveries to the local shopping centers could be with 53-foot trailers and box trucks. Building on a 30-acre site would have 150 doors with a lot of truck traffic. Does not believe that site is good for industrial use due to truck traffic. Described self-storage facilities and what they like for a site. Stated it is not an ideal location and would not work for self-storage.

Age of systems in the buildings is an impediment to finding tenants. Also, the configuration of the site is an issue. The industrial user of today wants a rectangle, more narrow site. His recommendation would be to tear down site.

Board member asked if he is speculating and feels it way beyond the facts the witness has available to him.

Stated that other industrial/office redevelopment in area is mostly local retail with a residential component. There is not a lot of manufacturing in New Jersey, but he has seen all sizes and shapes and new buildings are 24-foot clear.

Company he moved was CMC Foods, an egg company. They went into a building that was built in 2007 in Elizabeth, that is ½ mile from the Turnpike.

Data centers are more of a specialty product. His firm represents both landlords and tenants. He was retained 3 weeks ago and did not review any testimony of any of the other witnesses. To prepare, he visited the site, walked the site and went into the buildings. Drove around the market, drove to 1 & 9 to see how to get there from the site. Looked at data bases on local markets. Stated a 300,000 + sq. ft. building you would load with big trucks. Does not feel the traffic for a ShopRite or Target would be as intense as the traffic would be for this site. Typically, there is one door per 5,000-10,000 sq. ft. of space.

If he was representing an industrial user for this site, his recommendation would be to tear it down. If he felt it was a good site for his client, he would recommend constructing a building with 36 clear foot height. However, he does not feel it is a good industrial site. Described why some of his tenants moved out of their space.

It is his professional opinion that if you had time on your lease and paying your rent, you are allowed to stay in lease. Moving based on a landlord possibly rezoning would depend on client's motivation. Would recommend to look elsewhere based on better location, better access, look at economical deal, stated there are a bunch of factors. Might make sense to try and negotiate to stay.

Buildings that load on one side and unload on other side are distribution/warehouse users. Would consider Blue Apron an industrial use. Location in Linden has access to Turnpike. Standard time on market to lease or purchase a building depending on the building, is a year or year and a half.

Sitar Company has done 10 deals with Hartz over a 30-year history. Most recent, is industrial building about three years ago to group in Meadowlands. Never represented Hartz Mountain, always represented the tenant. He is being paid a consulting fee tonight. E-Commerce means location; they want to get to your home quickly.

Stated the three most important factors in real estate are location, location, location. Feels that to drive truck traffic thru local neighborhoods to get to highways is unfair.

Ms. Murray opened the application to the public for questions of this witness the following appeared:

Rita LaBrutto – 104 Arlington Road – Asked if the witness is aware that in 2016 Clark PB rezoned Terminal Avenue with a 21-acre mixed use site. Asked about Kerry Manufacturing expanding. Asked about other uses for the property. Asked if he was aware the golf course is not protected land and if someday it could become Clark Commons. Asked about subdividing the property for a variety of uses.

Mr. Sitar stated he is there to discuss the industrial market. Commercial is office, retail, multifamily and could include industrial. Was not aware of Kerry expanding. He would agree that there are people looking for space similar to what Kerry has on Terminal Avenue.

David Pringle – 333 Walnut Avenue – Thanked Board for their volunteering. Asked if the applicant should be able to do whatever they want with the property. Asked about self-storage and it being visible from the road. Asked about Hartz Mountain and their record in the Meadowlands and asked about Hartz environmental record. Asked if familiar with development on the Hudson River done by Hartz.

Mr. Sitar stated he is testifying to the industrial market. Self-storage needs to be visible from the road, climate controlled with 3 stories. Stated that the Meadowlands is a sub-market and he is not familiar with the Hudson River development.

Mr. Rhatican objected to the questioning about the environmental record. Stated this is not what the witness is here to testify about.

Mr. Rothman stated that the witness is here to give testimony about the industrial market.

Marlena Schmid – 20 Georgia Street – Asked about the site being attractive to startup companies and the classification of a startup. Asked about startup companies doing research.

Mr. Sitar stated someone developing this property would not make this investment in a startup company. Asked what type of startup company she is referring to.

Mr. Rothman stated that this witness is here to discuss industrial use.

Chiara Siliato – 19 Munsee Drive – Asked about tenants leaving the site and being paid not to review their leases.

Mr. Sitar stated he was not aware of tenants being paid not to renew their leases.

Don Smith – 21 Oneida – Asked how many clients he has who are looking for space in northern New Jersey and specifically in Union County. Asked if it could be a hindrance that Hartz is requesting to change the zoning of the property. Asked if he has an obligation to tell his client that Hartz Mountain is requesting a zoning change.

Mr. Sitar stated he has 15 clients in northern New Jersey but does not know how many in Union County. Stated he is aware of clients looking for property, but would not disclose his client's information. Stated he would tell his clients everything he knows about a property.

David Pringle – 333 Walnut Avenue – Asked to clarify if he has experience in finding startup companies looking for space.

Mr. Sitar stated that there are different types of startups and he did not look at any of those for this space.

Board member asked about health care facilities and research laboratories, which the property is already zoned for. Asked if he has represented clients for that type of use.

Mr. Sitar stated that he has represented Atlantic Health Systems for some industrial uses.

Board member asked what would be less desirable - the location of the building or the building itself for industrial use.

Mr. Sitar stated the primary issue is location.

After a short recess, Ms. Murray stated the next meeting with Hartz will be October 17th. There will be a Planning Board meeting on October 3rd, but there are two other applications scheduled for that meeting.

Mr. Rhatican stated that Mr. Pehnke and Mr. Hughes can both come back on October 17th.

Mr. Rothman asked about other witnesses for the applicant. Also asked about the EIS and whether the Board will have that in the next two weeks.

Mr. Rhatican stated that he will bring the engineer and the architect back for questions, and possibly Mr. Reese. Stated the EIS should be given to the Board before end of this month and should be discussed at the meeting following the October 17th meeting.

Karl Pehnke, appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert witness in the field of Traffic Engineering.

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

He prepared a Traffic Impact Study and submitted in support of the rezoning application. Study is dated March 20, 2017 along with a supplemental document dated September 5, 2018. He was asked to assist the development team with some of the elements of the site. Described the research involved in the Traffic Impact Study: becoming familiar with the site and obtaining a sampling of traffic flow and volume, traffic projections, project flow to and from and an analysis of the traffic flow. Also, identify safe access in and out of the site and implement mitigation improvements. He began in October of 2016 with data collection of exiting site driveways at the intersection of Raritan Road and Walnut Avenue. That was supplemented with additional data the following year in January and February. Stated the patterns are stable. Site is a redevelopment site. There are existing uses on the site which generate traffic. From a zoning standpoint, he looks at two things. One is what does the existing zoning permit, what could it allow on site and that traffic generation potential. Compared to the alternate use of residential and how would that change the traffic generation. Second, if zoning is changed would the proposed use fit, and could you provide safe access to the site. The existing zoning allows several types of uses. Discussed the uses: Industrial use could potentially have heavy truck traffic. A 300,000 to 400,000 square foot site could generate 150 – 250 truck trips a day and employee traffic would be limited to distinct times. Office use on site where activity is throughout the day with peaks, would impact mornings and evenings. Would be commuter hours, 5 days a week. Medical type use is usually 6 days a week, with more activity throughout the day. Would be a more intensive use.

Stated he used the publication known as *Trip Generation* for the study. Used the 9th edition when he completed the traffic study. It is published by the Institute of Engineers and relied on nationally by traffic engineers. The supplemental document provided was updated with the 10th edition information. Stated he regenerated traffic for the site with the partially occupied building in the back. The office building in front utilized the trip generator for a 190,000 sq. ft. bldg. Identified the amount of traffic that would flow once the building was reoccupied. Did a straight projection of what is generated by the development. Focused on morning peak 7:30 am to 8:30 am and evening peak 4:45 pm to 5:45 pm. Site generated 530 trips in morning and 770 trips in evening at the site. Did a comparison to see if changing the zoning would change the traffic generation. Basically, they found that it was the same level of traffic. The mornings might be slightly less and the evenings slightly more. There was a change in the pattern. Residential would have more out in the morning and in during the evening, where the office would have more coming in during the morning and out in the evening. With the 905 units, it would be essentially the same amount of traffic if the existing site were reoccupied.

Stated that they can provide safe access to the site and it would be signalized. Found some weaknesses at the intersection of Raritan Road and Walnut Avenue. Intersection could use some adjustments. Identified some timing changes for the traffic signal. More efficient if the left turn arrow coming from Central Avenue be allowed to advance in both directions concurrently.

Discussed elements of layout of the project. Stated it was his recommendation to put the driveways where they are. Driveway system as it stands today is outdated and has safety problems and impact on neighbors across the street. Requesting to install a traffic signal at public right of way. Feels it will provide a safe pedestrian crossing. Maser stated possible location of signal should be at Lexington Avenue. Stated it was considered and they are open to that discussion, also open to discussing the moving of the driveways if Township's professionals see it differently.

Proposing a left turn lane on Walnut Avenue to separate the traffic flow. No reason why they cannot provide safe access to and from the site. Site plan proposed from traffic standpoint can work. Site can be laid out to provide safe access. RSIS sets the standard. Discussed the shuttle to the train station which would lower traffic volumes on Walnut Avenue. Did not factor that service into the analysis.

Discussed the traffic flowing to the North and the problem making a left turn from Lexington Avenue, Mitchell Place and Behnert Place. At time of site plan, could possibly warrant a traffic signal.

Mr. Rhatican confirmed Mr. Pehnke's testimony that the trip generations projected for a full build out of a residential site would be similar to a fully occupied industrial/office facility and this information is reflected in his report.

Questions posed by the Board ascertained the following:

The existing office building used in the trip generation report is 190,000 square feet. This is used in the preparation of traffic generation. It is an estimation, but based on hard counts of similar facilities. Existing zoning would generate a certain amount of traffic if fully occupied. Used actual numbers for the volume in back building because it was fully occupied. The front building was not fully occupied, so had to project for it. Had to also project for the residential since it does not exist. Did not make a comparison of what type of users would generate the traffic. Discussed the bonus provisions in the Traffic Management Plan. The traffic generated by the 905 units was calculated in the database from the ITE. Traffic occurs over many hours and data is per hour.

He does not know about the Clark residential project. Stated they went to the Clark Planning Board and asked for any approved projects or projects under construction. Also asked if there is a residential project they could get a traffic study on and they did not have one. Did not coordinate with the Garwood projects on North and South Avenue. They will give the data to the ITE that they have collected. Data used is the industry standard. Post monitoring data that was collected and submitted, showed that the prior data was generating on the higher side. Checked with Hartz to see if they had any prior traffic studies but there were none available. The State database has intersection counts but there is no database to find old driveway counts for the site. The State updates the growth factor for roadways and projects growth to be 1.5% per year.

Town's ordinance is unique in the amount of site plan preparation and traffic impact preparation for a zoning consideration. There is a difference between a cut through and a capacity issue. Already have cut through traffic. Would use the traffic calming approach to minimize or slow traffic down. Parking is based on the RSIS. Traffic flow is based on peak hours on Walnut Avenue and Raritan Road. Trip distribution on Table 4 of report is a synopsis of the regional approach. Traffic has to go onto Walnut Avenue and then goes left or right.

Survey was done on Tuesday, October 25, 2016. Does not know if they did the Clark Commons traffic study. Study shows residential will have more flow to and from the north because of school, train station and downtown. Office would have higher flow toward south onto Walnut Avenue and Parkway.

Stated there would be an increase in traffic on Walnut Avenue toward the school, which is more than with the existing zoning. Traffic can be mitigated with a shuttle.

Additional driveway made sense when they aligned with the driveways opposite Lexington and Benhart. Team felt additional right in, right out relieved putting all traffic to one intersection. Will defer to site engineer to discuss the impact of the berm. Driveway was located across from Mitchell so it was not directly across from residences. Stated figures are for hourly flow only. Turnover occurs over a period of time. Not all cars leave the site on a given day. Existing site has 1200 spaces. Stated that the generation projection with site fully occupied as office/industrial, would have 400 to 500 cars coming into site at the AM peak.

Discussion was held regarding the dates to continue the testimony. Ms. Murray stated October 3rd there are two other applications. Stated that October 17th Mr. Pehnke will continue with questions from Board, then from the public. Mr. Hughes will also be back to continue testimony and review the FIS and answer questions. On November 7th, Mr. Martell will be back along with the architect and possibly Mr. Reese.

Mr. Rhatican stated he is not available the week of October 24th for a special meeting.

8. PUBLIC PORTION

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 11:07 P.M.

Donna Pedde, Secretary