

MINUTES OF THE PLANNING BOARD REGULAR MEETING OF PISCATAWAY TOWNSHIP HELD ON MAY 12, 2021.

The Regular Meeting of the Piscataway Planning Board was called to order at 7:30 P.M. on Zoom (online), Piscataway, New Jersey by Chairperson Smith.

Chairperson Smith stated: IN COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN THE FOLLOWING WAYS:

- *Posted on the bulletin board of the Municipal Building and made available through the Township Clerk;
- *Notice published in the Courier News;
- *Notice sent to The Star Ledger;
- *Notice made available through the Township Librarians.

ROLL CALL: Mayor Wahler, Councilwoman Gabrielle Cahill, Dawn Corcoran-Gardella, Dennis Espinosa, Carol Saunders, Rev. Henry Kenney and Chairperson Brenda Smith.

ABSENT: Michael Foster

Also present: Thomas Barlow, Esq., Laura Buckley and Steve Gottlieb, PP

It was determined that a quorum was present by roll call.

Thomas Barlow, Esq., states that he would like to place on the record that we are doing this meeting through an online meeting platform in light of the COVID-19 pandemic. In keeping with the guidelines that have been disseminated by the Department of Community Affairs, the Planning Board has tried it's best to comply with the open public meeting act and the Governor's guidelines in dealing with the current situation. In addition, the applicant whose matter will be heard this evening had the login information for the online meeting platform put forth in their notice; members of the public who wish to be heard will be afforded an opportunity as if we were in an actual, physical space. He believes we have done our absolute best to comply with the DCA guidelines and the open public meetings act.

4. PLEDGE OF ALLEGIANCE

5. SWEARING IN OF PROFESSIONALS: Steven Gottlieb, CME Associates

6. CHANGES TO THE AGENDA: Mr. Barlow states that application number 219-PB-20/21V, Minaret Investments, LLC, has been postpone; no new date is given. The applicant will re-notice when coming back before the Board.

7. ADOPTION OF RESOLUTION TO MEMORIALIZE ACTION TAKEN ON APRIL 14, 2021:

- (a) **21-PB-05/08 Duke Realty Circle Drive Development, LLC
Preliminary & Final Site Plan
Block 4102, Lot 2; Zone: Redevelopment
141 Circle Drive North
Application was Approved.**

MOTION was made by Ms. Saunders to memorialize the resolution for Duke Realty; seconded by Ms. Corcoran. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

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- (b) **21-PB-06/07** **Duke Realty Washington Avenue Development, LLC**
Preliminary & Final Site Plan
Block 5101, Lot 5.02, 6.02, 7.02; Zone: Redevelopment
1570 South Washington Avenue
Application was Approved.

MOTION was made by Ms. Saunders to memorialize the resolution for Duke Realty; seconded by Ms. Corcoran. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

8. ADOPTION OF THE MINUTES FROM THE REGULAR MEETING OF APRIL 12, 2021.

MOTION was made by Ms. Saunders to memorialize the minutes from the April 12, 2021 meeting; seconded by Rev. Kenney. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

SITE PLAN

9. **21-PB-03/04V** **Goldman Rutgers Land/Limited Partnership-**
Preliminary & Final Site Plan; Bulk Variances
Block 4202, Lot 7; Zone: LI-5
30 Duke Road
Applicant proposes to construct a warehouse and office.

VARIANCES REQUIRED:

- 21-501** Required – 50 foot side yard setback
Proposed – 19.6 foot side yard setback
- 21-1101.2** Required – parking may be located in the front yard area but no closer than 25 feet to the street line in industrial zones
Proposed – parking located 18.8 feet from the street line
- Required – no more than half of the required parking area shall be located in the front yard
Proposed – all of the required parking area is located in the front yard
- 21-1102** Required – 166 parking spaces
Proposed – 37 parking spaces
- 21-1103(d)** Required – one electric vehicle charging station
Proposed – no electric vehicle charging stations

*Any proposed signage will need to comply with 21-1203 of the Zoning Ordinance.

Action to be taken prior to June 28, 2021
Attorney: Aravind Aithal

Aravind Aithal, Attorney, is here to represent the applicant. Court stenographer present; transcripts are on file in the Community Development Office.

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MOTION was made by Councilwoman Cahill to approve the application; seconded by Rev. Henry Kenney. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

SITE PLAN

10. 20-PB-10/11V

Cintas Corporation

Preliminary & Final Site Plan; Bulk Variance

Block 4701, Lot 2; Zone: LI-5

51 New England Avenue

Applicant proposes to install a stand alone carport and addition.

VARIANCES REQUESTED:

21-501

Required – 100 foot front yard setback for an accessory structure

Proposed - 75.02 foot front yard setback for an accessory structure (carport)

Required – 50 foot side yard setback

Proposed – 49.76 and 49.89 foot side yard setbacks (existing)

Required – 50 foot side yard setback for an accessory structure

Proposed – 35.61 foot side yard setback for an accessory structure (tank) (existing)

Required – 300 foot lot width

Proposed – 216.96 lot width (existing)

21-613

Required – 300 foot lot frontage

Proposed – 168.63 foot lot frontage (existing)

21-1203.4

Required – directional sign shall not be located closer than 10 feet to the property line

Proposed – directional sign located 5 feet from the property line (existing)

21-1302.3

Required – outdoor storage shall be screened by a fence, a wall or plantings and shall meet all required setbacks for the zone

Proposed – partial screening of outdoor storage; outdoor storage does not comply with accessory structure setbacks for the zone

Action to be taken prior to June 6, 2021

Attorney: Paul Zelenty

Paul Zelenty, Attorney, is here to represent the applicant. Mr. Zelenty states that this application is for preliminary and final site plan for an accessory structure that was installed prior to the application being filed. There is a variance for the front yard setback. They would like to add an addition to the principle structure for operations. With the impact of the pandemic, they waited on the application. They are now going for the site plan approval for the accessory building only. Mr. Barlow states that they are only seeking preliminary for the addition and parking and will come back for final approval; Mr. Zelenty agrees.

Mr. Michael Lanzafama, PE, PP and Land Surveyor in the State of NJ and is with the firm of Casey & Keller Inc. He is accepted by the Board. He shares his screen with the Board. A-1 is the aerial photo showing the neighborhood and A-2 is a colorized rendering of the site plan given to the Board as part of

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the application. A-1 shows 51 New England Avenue, 5 acre parcel fronting on New England Avenue. On the north side of the property is Old New Brunswick Road and then Rt. 287 is fronting the portion of the property. This property was created as part of the Centennial Industrial Park which his firm did back in the 1960's. Back in 1989 Cintas bought the building and had an addition placed on the building and the construction of parking. There are commercial uses surrounding the property.

Mr. Lanzafama shows the site rendering showing the existing facility and the additions and accessory building. He states that Cintas was unaware that they needed site plan approval to put up the accessory building. The use is to provide a storage area away from the building for soil, laundry materials that could have a pollutant on them or flammables. Required setback is 100 feet and the structure is 75.02 feet from New England Avenue. The enclosure is approximately 987 square feet and is cut into the slope on the property. The proposed screening and gate around it to hide the material in the structure.

The variance is a C-1 variance and could be granted due to the configuration and having frontages on three roadways. They need to separate the enclosure from the building. No significant impact. Hidden from the road and screened. It will allow Cintas to safely function in this facility. In addition to the outdoor structure, there is an addition that is proposed and not built yet. It is 1,140 square foot addition that would be used for maintenance purposes inside the building.

Mr. Lanzafama states that in addition, they were going to expand the parking from 149 to 178 spaces; to do that, they will be adding 9,700 square feet of new impervious area to make the parking stalls. To alleviate that, they are proposing an underground detention system that would control the runoff. Landscaping is proposed around the new parking area as well as appropriate lighting (LED fixtures). They are asking for the parking, lighting and addition to be deferred. They are asking for preliminary only for these items and final for the accessory building that is already built.

There are existing non-conforming conditions that are not being exasperated by the activities proposed. He explains all of the existing conditions. As part of the circulation pattern, the drive on the east side comes in as a one way driveway and they have posted the one way sign some time ago. The sign is only 5 feet from the property line and need a variance for that as well. Mr. Barlow asks about the application in the 1980's all of this should have been identified. The building hasn't moved since it was built. Mr. Barlow states that the only new variance is for the accessory structure at 75.02 feet where you need 100 feet; Mr. Lanzafama agrees. They are asking for preliminary approval for the parking and if the economy picks up they will come back for final site plan when and if they're ready.

Ms. Corcoran asks about trucks on the site and the lack of area for these trucks to be parked. Mr. Lanzafama states that part of Cintas operation is to deliver uniforms. There is a need for these step type vans and trucks to be available at the site. The workers will pull the truck out and put the vehicle. He is aware that there is some congestion. Ms. Corcoran states that this has been around for some time. Mr. Lanzafama states that besides the variance for the setback to the structure, there should be some acknowledgement from the Board that the 149 spaces at this time are acceptable. One other non-conforming condition which are the loading bays, it's a design waiver. The bays should be 50 feet deep and they are 36 feet deep because that is because what kinds of trucks they use.

Mr. Barlow asks beside the existing structure, what exactly is the other addition for. Mr. Lanzafama states it is for operations within the buildings. They want to centralize their maintenance staff into a single location and they want to use the area of the new addition. The addition is compliant for setback and it's size. Ms. Corcoran states that this afternoon there was a report given from Mr. Herrera from the Engineering Department with regards to the existing sidewalk located along Old New Brunswick Road.

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T & M Associates have been working on a road improvement project along that stretch. What appears is that the existing sidewalk will not be allowed to remain in that location due to the elevation of the roadway. The Town is asking that the applicant install the sidewalk in conformance with the T & M roadway. It is not being installed as part of the roadway improvements. The plans are completed and they would like the applicant to install the sidewalks. Mr. Lanzafama states that they are also showing new sidewalk along New England Avenue as well.

Mr. Lanzafama states that Cintas Corporation is concerned about the 40 foot easement along 287 and would like it pulled off of this application and be deferred. Mr. Barlow states that with the exception of that item, the applicant will comply with the other recommendations of the D & R Report, CME Report, the Hinterstein report with the exception of #3 and Mr. Herrera's report. Ms. Corcoran states that in reference to Mr. Herrera's report, they do need a temporary construction easement along Old New Brunswick Road. Mr. Zelenty states that he didn't see that and Ms. Corcoran will send him a copy.

Mr. Lanzafama states that there is about 400 feet of sidewalk that needs to be installed. They are being asked to pay for the sidewalks and not the retaining walls. That is incorrect, they have to install both. Mayor Wahler states that they are going to pay for it either way through special assessment or themselves; it would be cheaper for them if they do it themselves. Without final, they can't do anything since they are now splitting the application. They are asking for final on the accessory and preliminary on the addition and the parking.

Mayor Wahler states that he wants them to have a three (3) year time frame. Other applicants have done this and don't come back for 15 years. Mr. Barlow states that the statute states for three year time frame and the applicant can ask for two one year extensions if necessary. Councilwoman Cahill states that with this now bifurcated application they are taking care of the structure that is built. The preliminary is that the applicant will come back within three years; Mr. Lanzafama agrees.

Mr. Gottlieb asks about the electric charging stations. They should install them when they expand the parking. They have to put them in within two years of this application. The ordinance is 1 electric parking space per 50 spaces. Chairperson Smith asks if anyone has any questions; they do not. Public portion open/closed.

MOTION was made by Ms. Corcoran to approve the application; seconded by Councilwoman Cahill.

ROLL CALL: Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

SITE PLAN

12. 19-PB-34 17 Plainfield Avenue, LLC
19-PB-35V Preliminary & Final Site Plan, Bulk Variance
Block 6809, Lot 6, Zone: C
17 Plainfield Avenue
Applicant would like to construct a second story addition.

VARIANCES REQUIRED:

21-501 Required – 25 foot front yard setback
Proposed – 14.5 foot front yard setback (existing)

Required – 8 foot side yard setback
Proposed – 6.4 foot side yard setback (existing)

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21-1101.2 Required – a parking lot shall not be located nearer to any residential zone than 50 feet
Proposed – a parking lot located less than 50 feet from a residential zone (existing)

21-1102 Required – 40 parking spaces
Proposed – 14 parking spaces *

21-1202.3 Required – 25 foot setback for a free-standing sign
Proposed – 10 foot setback for a free-standing sign (existing)

* The parking calculation is based on there only being one doctor on the premises

Action to be taken prior to April 15, 2021

Attorney: Aravind Aithal

Aravind Aithal, Attorney, is here to represent the applicant. Court stenographer present; transcripts are on file in the Community Development Office.

MOTION was made by Councilwoman Cahill to approve the application; seconded by Ms. Saunders.

ROLL CALL: Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

13. 21-PB-01/02V BRNSONS, LLC
Preliminary & Final Site Plan, Bulk Variance
Block 8604, Lot 1; Zone: GB
1401 Stelton Road
Application is requesting approval for an Orthodontist clinic.

VARIANCES REQUIRED:

21-501 Required – minimum floor area 2,000 square feet
Proposed – floor area 665.90 square feet (existing)

Required – minimum lot area 10,000 square feet
Proposed – lot area 3,396.53 square feet (existing)

Required – 100 foot lot width
Proposed – 66 foot lot width (existing)

Required – 100 foot lot depth
Proposed – 54.71 foot lot depth (existing)

Required – 25 foot front yard setback
Proposed – 4 foot front yard setback (awning) (Stelton Road) (existing)
Proposed – 24.9 foot front yard setback (International Avenue) (existing)

Required - 25 foot rear yard setback
Proposed – 8.8 foot rear yard setback (existing)

21-613 Required – 100 foot lot frontage
Proposed – 66 foot lot frontage (existing)

21-1102 Required – 11 parking spaces
Proposed – 4 parking spaces

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- 21-1101.2** Required - parking no closer to the street line than 10 feet
Proposed – parking located along the street line (existing)
Required- loading/parking areas buffered from street and adjacent properties
Proposed – loading/parking areas not buffered from street and adjacent properties (existing)

*The plan submitted does not show any signage. All signage must conform to 21-1202 of the Zoning ordinance.

Action to be taken prior to August 4, 2021
Attorney: Aravind Aithal

Aravind Aithal, Attorney, is here to represent the applicant. Court stenographer present; transcripts are on file in the Community Development Office.

MOTION was made by Ms. Corcoran to approve the application; seconded by Rev. Kenney.

ROLL CALL: Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

14. DISCUSSION: TO APPOINT 4SITE PLANNING TO PREPARE AN IN-NEED STUDY FOR 40 KINGSBRIDGE ROAD, DESIGNATED AS BLOCK 6702, LOT 6.02 ON THE PISCATAWAY TOWNSHIP TAX MAP.

Mayor Wahler states that this property is the old Deutsche Bank. The bank is no longer using this site, it was their recovery site that they used when 911 happened. Since then they have another recovery site stationed in NY City now. The property is adjacent to 287 and is in an industrial area and they need to figure out what to do with it. Chairperson Smith would like a motion from the Board to have the study done.

MOTION was made by Ms. Corcoran to appoint 4Site Planning to prepare an in-need study for Block 6702, Lot 6.02; seconded by Ms. Saunders. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

Thomas Barlow states that there has been a resolution prepared for the discussion item to appoint 4Site Planning to do the in-need study. Chairperson Smith asks the Board for a vote to adopt the resolution.

MOTION was made by Councilwoman Cahill to memorialize the resolution for 4Site Planning to conduct the in-need study for Block 6702, Lot 6.02; seconded by Ms. Saunders. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

15. DISCUSSION: REVISED GENERAL ORDINANCES, CHAPTER 21, ZONING SECTION 3, DEFINITIONS AND SECTION 13, PROHIBITED USES; PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS.

Thomas Barlow states that Council has proposed changes to the land use ordinance to limit cannabis uses in the Municipality. Since it deals with the land use ordinances, it was sent to the Planning Board to advise and give their opinion back to the Council whether or not they support and approve the proposed changes and amendments. Mayor Wahler states that basically the way that the state is set up, they haven't set up all of the rules and regulations yet, saying a Town either needs to opt in or opt out. After

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the 180 day period, then they'll come out with the rules and regulation.

If you opt in, you're in for five (5) years, even though the Town doesn't know the exact rules yet. Once the regulations are put in place, they can opt in at any time. Mayor Wahler states that the Council wants to opt out at this time considering no one knows the rules yet. Councilwoman Cahill states that the Mayor and Council felt that if we were to opt in and not be able to manage the situation as a Township. If an ordinance is in the books, it gives the Town some breathing room. When the State comes out with the rules and regulations they can come back and revisit this. Thomas Barlow states that if you opt in you're stuck with whatever regulations they put in place after the fact. If they opt out, they can always opt in if they want to.

MOTION was made by Mayor Wahler to approve the amendment of General Ordinances, Chapter 12, Section 3; seconded by Rev. Kenney. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

Mr. Barlow states that there has been a resolution drafted for the amendment.

MOTION was made by Rev. Kenney to memorialize the resolution to amend; seconded by Ms. Saunders. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

16. DULY AUDITED BILLS TO BE PAID

MOTION was made by Councilwoman Cahill to pay the bills; seconded by Carol Saunders. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

17. ADJOURNMENT: MOTION made by Councilwoman Cahill to adjourn; seconded by Ms. Saunders; All in favor.

The meeting was adjourned at 10:30 P.M.

NEXT SITE PB/WORKSHOP BOARD MEETING – MAY 12, 2021 AT 2:30 P.M.

NEXT PLANNING BOARD REGULAR MEETING – JUNE 9, 2021 AT 7:30 P.M.

Respectfully Submitted,

Laura A. Buckley
Planning Board Clerk for Carol A. Saunders, Secretary

I certify that the foregoing is a true and correct copy of the Minutes of the Regular Meeting of May 12, 2021, same having been fully adopted by the Planning Board of Piscataway on June 9, 2021.

CAROL A. SAUNDERS, Secretary
PISCATAWAY TOWNSHIP PLANNING BOARD