

**WARREN TOWNSHIP PLANNING BOARD
MEETING MINUTES**

**7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
April 25, 2022
APPROVED**

CALL TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS

ROLL CALL

Mayor Sordillo	Mr. Pasi
Committeeman DiNardo (Excused)	Mr. Scuderi
Mr. Gallic	Mr. Esposito
Mr. Toth	Mr. Lippitt (excused)
Mr. Lindner	
Mr. DiBianca	
Mr. Argiro	

***Statement by Presiding Officer:** Adequate notice of this meeting was posted on January 20, 2022, the Township bulletin board and sent to the Township Clerk, Echo Sentinel, and Star Ledger per the Open Public Meetings Act. All Board members are duly appointed volunteers working for the good and welfare of Warren Township. We plan to adjourn no later than 10:00 p.m.*

■ **APPROVAL OF MINUTES:**

April 11, 2022

Motion was made by Mr. Toth, seconded by Mr. Argiro to approve the minutes. All in favor.

■ **REPORTS:**

Steve Warner, Esq.
John T. Chadwick, IV, P.P., Professional Planner
Christian Kastrud, P.E., Professional Engineer
Maryellen Vautin, Clerk-no reports

CITIZENS HEARING non-agenda items

■ **CORRESPONDENCE**

■ **PUBLIC HEARING agenda items**

PB20-03 K. Hovnanian North Jersey Acquisitions, LLC
Block 208 lots 4 & 10
The Hills at Warren
Preliminary and Final Site Plan

Mr. O'Grodnick, attorney for the applicant, came forward and went over the application with 192 for sale units, including 48 affordable units. There are two bulk variance, one for patios in the buffer area, and two parking spaces in the

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landscape buffer area also. Mr. John Caniglia came up for the applicant to go over the revised plans with a relocation of one of the market rate buildings swapping with a location of one of the affordable units. One of the affordable units is now proposed on Emerson Lane. Building number 2 location (affordable unit near Hillcrest) will be switched with Building number 5 (market). The buildings are similar size. The board had suggested some change to not have all affordable in the one location by Hillcrest. Both building 2 and 5 had some elevations with high visibility and they will carry that to the proposed changes. The affordable building at the building 5 location will require a small trash enclosure to accommodate the five residents without storage for trash containers. Mr. Argiro asked about the parking for the building 5 proposed location. There are parking areas near the building, one with four spaces and one with two. And across the street there is a large parking bank with 18 spaces. Exhibit A-2 was brought up and it is the rendered site plan. Mr. Ciliberto, the applicant's engineer, was still sworn in and went over the parking spots.

Mr. Gallic opened this portion of the meeting to the public. Mr. David Springer came forward and lives at 51 Ralph Place (Berkeley Heights). He has concerns about parking, there is not enough with 192 units he feels. There are over 400 parking spots with the garages. It meets the RSIS.

Mr. Ramman Aziz came forward from 68 Joan Drive (Berkeley Heights). He has concerns about the traffic. Mr. Gallic said they had gone over traffic extensively at a previous meeting and the traffic report is at the town hall (and on website) as well as the minutes.

Ms. Nicole Springer came forward from Ralph Place. She is concerned people will be walking in her back yard and they won't get to know each other. She asked if there would be a wall or some containment of the site.

Mr. O'Grodnick said there is no fence proposed, the perimeter of the site will have extensive landscaping. Any land in Berkeley Heights will be placed in a conservation easement. Ms. Springer is very concerned about security. Ms. Springer was sworn in by Mr. Warner. The public portion was closed.

Mr. Gallic reminded all that they had gone through the extensive list of conditions at the previous meeting and they are still required. Mr. Scuderi asked if the applicant was going to upgrade the siding and trim work for the interior sides. They did run cost estimates and it would be very expensive to do and they did not upgrade. Mr. Lindner talked about upgrade to hardy board instead of vinyl siding and it has been requested several times.

A motion was made for the Preliminary and Final Site Plan with the two variances. There is also an RSIS exception where some of the sidewalks in the interior don't go the entirety of the development.

A motion to approve the application was made by Mr. DiBianca, seconded by Mayor Sordillo.

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ROLL CALL

For: Mr. Toth, Mr. Argiro, Mr. DiBianca, Mr. Esposito, Mayor Sordillo, and Mr. Lindner.

Against: Mr. Scuderi, Mr. Gallic

PB 21-01 58 Mount Bethel, Inc.

Block 71 lot 37.01

87 Mount Bethel Rd

Preliminary and Final Site Plan

Mr. Richard Sasso, attorney for the applicant, introduced the application for 58 Mount Bethel, Inc at 87 Mount Bethel Road. The zone is R-65. It is a redevelopment application. The redevelopment application does not involve any variances. The request is for a three-story, 32 unit residential building, with 8 affordable units. The witnesses will be engineer James Mantz, architect Andrew Beer, and traffic expert, Gary Dean. The application does have Somerset County Planning Board approval.

The affordable units are 1-bedroom, 2-bedroom, and 3-bedroom units. The market units are one 1-bedroom, eight 1-bedroom plus a den, three 2-bedroom, and twelve 2-bedroom and a den.

Mr. Andrew Beer was sworn in as well as all the professionals for the applicant and the township planning board professionals. Mr. Warner had reviewed the notice and it was acceptable.

Mr. Beer went through his credentials, undergraduate at NJIT, and he returned for his Masters in 2017. He recently became a licensed architect in New Jersey. He was accepted by the board. Exhibit A-1, dated 4/25/22 was brought in; a colorized site plan. Mr. Beer went through the site with Mount Bethel and Mount Horeb Road on two sides. Mavis Tires is across the street. The building is along the long edge of the site back from Mount Bethel Road. There will be landscaping. The building will have underground parking, half under with the other half in front of the building. There is an existing detention basin on the site. The site had been approved previously for an office building. The office building was approved at 10,000SF. This building is 61,000SF. Mr. Beer went over page C-1 from the submitted plans, with date of 4/13/21. He went over the front façade with a lot of architectural details. The side that faces Mount Horeb also has a lot of details. There are multiple gables, recesses and bump outs. There is vertical and horizontal siding. There is stone on the first floor level, and it goes to the second floor.

There are a total of 32 units with 8 affordable units. Of those affordable units, there are two 1-bedroom, three 2-bedroom units, and three 3-bedroom affordable units. There was discussion on the Flag Plaza number of affordable units and this unit and mix of units and this is in accordance with UHAC requirements for bedroom counts.

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The units in this application/site plan are dispersed throughout the building.

There is parking below and on ground totaling 64 parking spots. There are three stories and one below grade level (for parking). The height is under 35 ft. required by zoning. The building is 61,709 SF. Mr. DiBianca asked about the back of the building near the junk yard and people looking out their windows and seeing the wrecker site. The setback is about 30 ft. from the property line. There are some trees and growth there. Mr. Chadwick said there is a row of landscaping, trees, etc. The third floor will see the most. There is one residential property in between the proposed building and the Warren Wreckers site.

Mr. DiBianca asked if the property residents will have assigned parking. It is not planned to have designated parking spots. Mr. Chadwick spoke about the EV parking requirements that will be necessary. The applicant will comply with those requirements.

Mayor Sordillo believes no EV spots should be inside a building and the township has not adopted an ordinance yet on EV spots. There was further discussions on keeping the spots outside.

Mr. Chadwick said that this is a variance free application and conforms with the affordable housing criteria in the settlement agreement and the architecture was revised once a while ago. There were no further questions on architecture.

Mr. Sasso called up Mr. James Mantz, the applicant's engineer, and he gave his credentials and was accepted by the board.

Mr. Mantz went over the engineering plans. Sheet 2 of 11 revised 3/3/22 was put up on the easel; it is a colorized version of the sheet. The building is about 225 ft. long by 66 ft. 5 inches deep and sits back from the westerly property line 30 feet. There is a steep bank that was previously cut in by the previous owner for an office building. Between the property line and the Warren Wrecker site there is an existing lot (37.02) and the Warren Wrecker property is about 150 ft. away from this proposed apartment building.

The elevation between the grade at the property line is 464 down to the grade near the building is 456 so the first floor elevation is roughly 8 feet lower than the adjoining property. The Warren Wreckers property is another 5 or 6 feet higher. There is a landscaping plan with a lot of plantings.

The access from Mount Horeb Road is a two-way access located near the north-westerly property line. There is two-way traffic through the site. There is two-way access going under the building. There is an exit onto Mount Bethel Road. It is a right out only. Vehicles traveling south on Mount Bethel Road may enter here, right in and right out only.

There is an existing detention basin designed for the two-story office building. A lot of the storm sewer was put in also. He went over some modification to provide a little more storage.

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Underneath the building near the center of the building there is a handicap space and on the surface parking there are two handicap spaces, all van accessible. There is an elevator in the building. There was discussion on an environmental report. The landscaping was done by Henry Hinterstein and the date is 2/2/21 and it is within the engineering plans. Mr. Mantz went over the landscape plan including evergreen and deciduous trees. There is a lot of plantings within two stacked retaining walls on the plans. They will also add plantings along the front of the first wall. There will be a paver courtyard with benches and passive recreation. There is water and gas available on Mount Horeb Road. They intend to tap into the sanitary sewer on Mount Horeb Road and they have sewer authority approval. They have two hydrants on the plan, and another one just south of the site. He went over the utility plan page.

The stormwater manual and operation and maintenance manual will be filed. The roof leaders will be piped into the stormwater system. Some of the water from the parking will go towards one side and in the front of the building water gets channeled to two inlets located on the south side of the driveway.

Mr. Mantz went over the retaining walls. The elevations are designed but the walls are not. They will be block retaining walls. The front retaining wall will be approximately 6 feet and will step up about a foot to the next retaining wall up and will be about five feet in height. There will be enhanced landscaping in front of the wall and the applicant agreed that it will be subject to approval by the Township Planner.

Mayor Sordillo asked about stairway number one on the south west side of the building. The egress is out to a narrow strip of land and one would have to walk 225 feet to an area considered a safe distance from a building (per NFPA 101). He asked how that meets code. It is too narrow in that area.

Mr. Mantz said there will be concrete pads/patios in the back lower level units. It is flat for about 10 feet and there is stormwater also to bring water around the building. The Fire Marshall also wants to be able to put up ladders. Mayor Sordillo repeated that you need to be 50 ft. away from a building.

Mr. Andrew Beer said that the stairway there does not exit to the back, it exits to the front as well as the other exits go to the front. There was discussion on the stairway being a protected area and if you have to leave the protected area to go to an exit. This will be investigated further.

Mr. Kastrud went over his memo and Mr. Mantz has addressed the stormwater issues. An operation and maintenance manual will be submitted. Any modifications to the drainage will have to be addressed with drainage easement or revised easements. An engineer estimate will be required to establish bonding and inspection fees.

Mr. Chadwick asked about the lights on the site. Sheet number 6 is the lighting plan and the lights will meet town center standards and there are 21 lights. There will be no spillover to neighboring properties. There will be LEDs and there will be a dimmer feature.

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Mr. Chadwick asked about a ID sign. Most projects have a brick entrance, maybe a 25 ft. message is reasonable. They will have two signs.

Mr. Gallic asked how far down the bedrock is. Mr. Mantz said there is an existing outcropping right on top of the ground. They will have to remove bedrock near the westerly portion. The stormwater system will be maintained by the property owner.

Mr. Warner asked if they will stipulate to the requests of the Fire Marshall and they will. The environmental commission asked about the recycling. The applicant would like to have the recycling and the trash within the building but the health department said there is a code against that. They show a solid waster enclosure south of parking space 51. The health department/board of health will need the applicant to come to them and explain. The board members were not satisfied with having it in the parking lot out front.

Mr. Lindner said they have done inside trash enclosures and there is a way it can be done.

Mr. Sasso brought up Mr. Gary Dean, the applicant's traffic expert, and he was accepted. Mr. Dean spoke about the previous approval of the office building and the possible day care center. This is less traffic intensity. A day care would generate about 120 trips in one hour dropping off and picking up. The office building would generate about 30 trips. This 32 residential is down to 20 per hour.

Somerset County has been satisfied with access and traffic generation. It is right in and right out on Mount Bethel and two way on Mount Horeb.Road. The parking complies and the applicant will meet the EV requirements.

Mr. Gallic asked if anyone had questions on traffic. Mr. Gallic feels this application is one of the least traffic issue sites that they have seen in a few years. Mayor Sordillo mentioned a study that was done by Somerset County Study before the newer developments were approved.

Mr. Gallic opened the meeting to the public.

Mr. Luis Bronco came forward from 20 harmony (to the west of the proposed building). He asked about the 11 foot wall/two tiered. Would the top of the building be 46 or 50 ft. tall. Mr. Chadwick said they may see about 20 ft. above the grade. The building is set down a bit lower. The building will be under 35 ft. from grade. The bank is about 11 ft. high. The neighbor would like a good landscape buffer planted.

Mr. Bronco also asked about the runoff and said the town has had problems with that area and stream that cuts off under Mount Bethel. The water will go there after it makes it through the detention basin. Mr. Bronco was told there are issues with erosion and trees backing things up. Mr. Bronco was sworn in by Mr. Warner.

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Mr. Gallic did bring up the (stair) exit and it is a safety issue and the garbage enclosure in the front of the building. He would like those two issues settled. Mr. Chadwick said they could vote on the preliminary.

Mr. DiBianca asked about the difference between the affordable units and market units. All units have laundry rooms/space.

The affordable one bedroom is 682SF, and the market one bedroom is 717SF.

Mayor Sordillo asked if there was any study about ground water contamination from the junk yard. He knows there is mercury in a junk yard with headlights, etc. There is a combination of potentially toxic materials.

The applicant has not done an environmental study. The office building was approved in 2007. A day care had come in and wanted to use the footprint and build there. Mr. Chadwick is not sure if they did a Phase 2 study. Mayor Sordillo feels this is a different set of risks with living at the site. Mr. Gallic also brought up the additional material added to gasoline and its danger. He had seen the employees empty gas tanks into the ground way back when he bought car parts there. There might be concern that it traveled down and they will be in the dirt and not just bedrock. Mayor Sordillo has concerns on any contamination. He also has concern on the exit from the stairs.

The applicant will investigate what studies were done by the Day Care/School and try to obtain any. The applicant will also reach out to the Health Department.

They carried the application for two weeks to May 9 without further notice. Applicant granted an extension of time for decision through May 2022

SCHEDULE OF NEXT MEETING: May 09, 2022

■ **ADJOURNMENT**