

REGULAR MEETING of the Moonachie Planning Board called to order, J. Molinari in the chair, at the Municipal Building on Thursday, January 21st, 2021 at 7:10 P.M. J. Molinari called for Pledge of Allegiance to the Flag.

ROLL CALL: J. Molinari-present, N. Derevyanik- not present,
J. Campbell, M. Meehan, V. Drozd, M. Lyons- present,
J. Telesmanic- not present C/Wende- present,
Alternates – A. Arroyo, R. Petrella- present,
Attorney- J. Novello- present

Secretary stated that notice of the meeting was announced in accordance with the Open Public Meeting Act and notice of this Zoom Meeting was published in the Record on January 9 and in the Star Ledger on January 11, 2021 to join the Zoom Meeting please follow

<https://zoom.us/j/91299338384>

By Phone: 1 -929- 205 -6099

Meeting ID: 912 9933 8384

Passcode: 746025

Meeting agenda and other documents will be available on the Borough's website:

<http://moonachie.us/planningboard.html>

Chairperson stated "This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all time."

Motion by V. Drozd and second by J. Campbell waive the Regular Order of the Business.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.

All ayes. So ordered.

REORGANIZATION:

Motion by V. Drozd and second by M. Meehan to elect J. Molinari as Chairperson for 2021.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.

All ayes. So ordered.

Motion by J. Molinari and second by J. Campbell to elect N. Derevyanik as Vice Chairperson for 2021.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.

All ayes. So ordered.

Motion by J. Molinari and second by R. Petrella to appoint Supriya Sanyal as Secretary for 2021.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.

All ayes. So ordered.

Motion by R. Petrella and second by J. Campbell to adopt Resolution #2021-1.

RESOLUTION#2021-1

RESOLUTION EMPLOYING AN ATTORNEY

WITHOUT COMPETITIVE BIDDING

WHEREAS, there exists a need for the services of a PLANNING BOARD ATTORNEY in accordance with appropriate New Jersey law; and

WHEREAS, the provisions of said contract shall be in accordance with the dictates of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, the all legal services at the hourly rate of \$165.00 per hour, the annual contract shall not exceed \$5,000 and funds are subject to an appropriation by the Mayor and Council of the Borough of Moonachie and will be provided by the local finance office when appropriated; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED, by the PLANNING BOARD OF THE BOROUGH OF MOONACHIE as follows:

1. The Chairperson and Secretary of the PLANNING BOARD are hereby authorized and directed to execute the attached Contract with James T. Novello, ESQ.

2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. A Notice of this action shall be printed once in the official newspaper of the Borough.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.
All ayes. So ordered.

Motion by J. Molinari and second by V. Drozd to appoint Kevin Boswell as Planning Board Engineer for the year 2021.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.

All ayes. So ordered.

Motion by J. Campbell and second by M. Meehan to adopt Resolution #2021-2.

RESOLUTION#2021-2

WHEREAS, the Open Public Meeting Act requires that appropriate public notice be given in conjunction with the scheduled meetings of all public bodies; and

WHEREAS, the PLANNING BOARD OF THE BOROUGH OF MOONACHIE desires to operate in compliance with the aforesaid law; and

WHEREAS, the Planning Board intend that formal action be taken at the reorganization meeting, regular monthly meeting sessions and/or special meeting sessions of the Moonachie Planning Board; and

NOW, THEREFORE, BE IT RESOLVED, by the PLANNING BOARD OF THE BOROUGH OF MOONACHIE, that the Borough Clerk of the Borough of Moonachie publish the following list of monthly meetings for the calendar year 2021 in accordance with the Open Public Meeting Act:

February 18, 2021
March 18, 2021
April 15, 2021
May 20, 2021
June 17, 2021
July 15, 2021
August 19, 2021

September 16, 2021
October 21, 2021
November 18, 2021
December 15, 2021 (Wednesday)

Executive sessions will be held at 6:45 p.m. followed by the regular public meeting at 7:00 p.m. All meetings to be held at the Moonachie Municipal Building, 70 Moonachie Road, Moonachie, NJ.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.
All ayes. So ordered.

Motion by J. Molinari and second by R. Petrella to adopt the By-laws dated December 12, 1996, for the year 2021.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.
All ayes. So ordered.

Motion by R. Petrella and second by V. Drozd to approve Minutes of January 16, 2020
(No Meetings from February thru December)
ROLL CALL: Molinari, Campbell, Meehan, Drozd-aye, Lyons, C/Wende-abstain, Arroyo, Petrella-aye.
Six ayes, two abstain. So ordered.

COMMUNICATIONS:

Supriya Sanyal, Borough Clerk- notification of 2021 appointment of member to the Planning Board.
Bohler Engineering-notice of submission of Flood Hazard Area Verification and Individual Permit to NJDEP for Jet Aviation.
Lapatka Associates, Inc.- notice of submission of Flood Hazard Area Verification and Individual Permit to NJDEP for President Container Group.
Hammer Land Engineering- filing of Minor site Plan Application and variance application for Block, 57, Lot 10 to Moonachie Planning Board.
Bergen County Soil Conservation District- notice of certification of Soil and Sediment Control Plan for Jet Aviation.
New Jersey Sports & Exposition Authority- notice of an application for bulk variance for TKT Property LLC/Terminal Lane, Block 132, Lot 1 in the Borough of Carlstadt.
Bergen County Soil Conservation District- notice of certification of Soil and Sediment Control Plan for 240-250 Moonachie Avenue.
New Jersey Sports & Exposition Authority- notice of an application for bulk variance in connection with the construction of a building addition, in Carlstadt, Block 105 Lot 9 and in South Hackensack, Block 131.01, Lot 9.

Motion by V. Drozd and second by J. Campbell to file communications.
ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.
All ayes. So ordered.

REPORTS: Boswell Engineering- First and second Revised Report for 250 Moonachie Avenue Block 57, Lot 10.

OLD BUSINESS:

Site Plan Application (2020-SP1) and the Variance application (20-V1) for 250 Moonachie Avenue., Block 57, Lot 10

Brad Marcum, Attorney for the applicant, Prologis- spoke about the application, the location of the building and the existing site. Mentioned that the applicant wants to revitalize the area, they are looking to remove the current office area in order to gain additional parking, two

loading bays, and add landscaping. Spoke about the variances that are needed, and that there are existing non-conformities on the site. Mentioned that the work they are asking to do will improve some of the conditions and non-conformities.

Attorney Novello mentioned that since the last Boswell report there was proof of notice, and confirmation of proof of taxes, and the file is complete.

Michael Zimmerman, Construction Manager, Prologis- was sworn in by Attorney Novello. Gave background of Prologis, and mentioned that they own various properties in the Meadowlands and own the three adjacent properties to the site and one across the street. Also mentioned that Prologis acquired the building last year, and it was not well maintained and updated, and there are not many options for truck loading.

J. Molinari asked if the building was being designed for a tenant or based on logistics of the area.

Mr. Zimmerman mentioned that they currently have Mount Sinai in the building, they donated space to them during COVID-19, the changes would be for another tenant.

Michael Rodrigues, Engineer for the applicant- was sworn in by Attorney Novello. Explained his qualifications as an Engineer and education, he has 17 years' experience and has worked on projects in the area. Recent projects included a warehouse space in Kearny and worked on Macy's Studio. Mentioned that he is licensed in New Jersey. Mr. Rodrigues was accepted as an expert for the applicant.

Exhibits

A-1: Aerial view of site

Mr. Rodrigues reviewed exhibit A-1, explained the conditions and location of the site, the current building is approximately 100,000sq. ft. Mentioned that the building is at the border of Moonachie and Carlstadt is south, the building is developed currently as a warehouse facility, and has parking, loading areas, and utilities. They are looking to redevelop the front of the property.

A-2: Closer Aerial view of site

Mr. Rodrigues reviewed exhibit A-2, and explained what changes would be done. Mentioned that the approximately 4000 sq. ft. would be demolished in order to reconfigure the front of the building. It would affect the parking lot, create additional loading areas and add landscaping, the building currently has 90 parking spaces, and with the plans, would to increase to 134 spaces.

A-3: Site Plan rendering

Mr. Rodrigues reviewed the Site Plan, indicated where on the plan the two loading spaces will be added, and additional parking will be created, the parking area will be more functional and create safer conditions, there will be a landscape buffer along the sidewalk.

Mr. Marcum asked Mr. Rodrigues to explain the red area on the Site Plan. Mr. Rodrigues indicated that the red area is the portion of the current building that will be demolished, by doing so, the building will meet the setback from the street, and the building coverage will decrease from 51% to 49%, where 50% is required.

R. Petrella if trees were being removed from the site.

Mr. Rodrigues mentioned that they will be adding trees.

M. Lyons asked about the setback if it accounts for the 8' right of way for the County.

Mr. Rodrigues mentioned that it is shown on the plan set, and it is not needed but is an existing condition that he will cover. Mentioned that the additional landscaping will beautify the site. Spoke about the drainage, and the utility services are not proposing to be changed. Mentioned that impervious area is being increased by under a tenth of an acre, they will still have stormwater flowing towards the existing system on Moonachie Avenue. Spoke about discussions with Mr. Sachs from Boswell Engineering that they provide a retention system due to the increase in impervious coverage. Spoke about peak flow rate on the site that was improved. Explained the changes to the lighting on the site, and the landscaping will not affect the sight lines, they also are adding four building mounted lights and keeping the two that are currently in the parking area. Spoke about soil erosion and sediment control while the project is underway and they received approval from the County Soil Conservation for the design. Mentioned about discussions with the County Planning Board office regarding plan revisions.

J. Molinari asked about the location of the dumpsters, and currently there is debris in the area. Mr. Rodrigues spoke about the current location of the dumpster and that a warehouse with high waste generation would have a compactor in the loading doors, from there, the private hauler would take away waste.

Mr. Zimmerman mentioned that they will work on getting the area cleaned.

V. Drozd asked about the location of other parking spots.

Mr. Rodrigues reviewed the location of the parking spaces along the site currently.

V. Drozd asked about the size of the parking spaces and loading area.

Mr. Rodrigues explained that in order to appeal to tenants the building needs more loading areas.

A-4 Revised Site Plan

Mr. Rodrigues spoke about changes from the County regarding the layout of the spaces and flow of the parking area. Mentioned that they are allowed to make a left or right turn out of Moonachie Avenue, in the letter from Mr. Sachs, there were concerns about backing into the loading docks, the angled parking spaces along the side of the building were subtracted and reduced parking next to the loading area so that trucks are able to get in.

C/Wende asked about how many tenants are proposed for the site.

Mr. Zimmerman mentioned that this front portion of the building would be for one tenant and the back of the building is already divided.

M. Lyons asked about emergency vehicle access on the east side of the building.

Secretary mentioned that the Police Chief did review the plans and was satisfied, but she did not hear back from the Fire Department.

Mr. Rodrigues spoke about variances and conditions of the building, the current angled parking spaces are not conforming, and they will be eliminated in these plans. Reviewed widths of the parking spaces, driveways, depressed curb width and parking setback.

Mr. Rodrigues reviewed Mr. Sachs' letter, spoke about parking calculations and what waivers and variances are needed. Mr. Rodrigues spoke about the width between the parking space and drive aisle, it is approximately 19.6', and explained that it is wide enough for truck traffic.

Mentioned that the site is in a flood hazard area, and submitted a verification with the NJDEP for elevation, also, they applied for an individual permit to do the work on the building. Spoke about the current maps at elevation 4' and the finished floor of the building is at approx. 6.7'. Mentioned that the preliminary FEMA maps from 2014 FEMA shows the elevation at 8', the entire building is below that elevation and the applicant is aware of that. Mentioned that they will not be including any floodproofing on the building, but all tenants would be made aware and have access to the maps, they have received outside approval.

M. Lyons asked if the loading docks are at grade, if they are below the driveway the loading docks will flood during a rain event.

Mr. Rodrigues mentioned that they are 4' below the finished floor, there is a pump system in place that pumps it out to the storm drain on Moonachie Avenue. Mentioned that the site distance needs to be updated on the plan as the site is on a County Road, rather than the Borough Code which has a minimum of 400' distance. Spoke about trash pickup, currently trash is being picked up by a private hauler from the compactor on the loading dock, this is common in the industry and would not affect the parking.

M. Lyons asked if there was enough space for a roll-off truck to get the compactor from the loading bays, and if there were any overhead wires.

Mr. Rodrigues mentioned that there is enough space, and no wires in the area. Spoke about revised plan and removal of angled parking spots so there is enough swing space for trucks, and County right-of-way. Reviewed Stormwater Management items from Mr. Sachs' letter, information will be provided when needed for percolation test, calculations, typo on plans to be changed, inspection and maintenance manual will be made available to the Borough.

M. Lyons mentioned stormwater management regulations and that private stormwater facility records need to be maintained and made available to the DPW upon request.

Mr. Rodrigues spoke about outside approvals that are needed on the plans, the County Planning Board is currently under review and the County Soil District and NJDEP gave approval.

Mr. Dobiszewski asked where the snow would be put if the lot needs to be plowed.

Mr. Rodrigues mentioned that there is space for snow where the additional landscaping is and in an extreme situation parking spots could be used.

Mr. Dobiszewski asked if the additional loading areas are going to be set up like the existing ones and if the condition of the pipes in the area have been assessed.

Mr. Rodrigues spoke about the invert and it is working, he had been there after rain events and it was dry. Mentioned that he has opened the pump, activated it, it does work and if the pump did fail it would not overflow into the finished floor.

R. Petrella asked if they considered a generator.

Mr. Rodrigues mentioned that it is an improvement they could make if they do not have one.

V. Drozd asked where the entrance is on the building.

Mr. Rodrigues indicated on the plan where the current doors are, and there will be a walkway leading into the front door on the plans.

V. Drozd asked about the square feet of the front of the building, and the number of parking spaces needed.

Mr. Rodrigues spoke about the calculations for the warehouse and the office space and that as of now all of the spaces are shared on site.

M. Meehan asked about the sidewalk on Moonachie Avenue, if the middle driveway is a right turn only, and about the grass area in front of the loading area.

Mr. Rodrigues explained that there is an existing 4' sidewalk and they are reconstructing a portion due to the change in the parking lot. Spoke about the County is reviewing their sidewalk plans. Mentioned that the County allowed them to make a left out of that driveway. Spoke about additional buffer as there is none there now, and it will have a curb.

M. Lyons asked about item regarding municipal road paving being satisfied, she is the DPW Superintendent. She spoke about municipal ordinance regarding road opening permits, and the County would also be involved.

Mr. Rodrigues mentioned that the County required that they replace the curb, and that was the only disturbance to the roadway.

Edward Neighbour, Architect for the applicant – was sworn in by Attorney Novello. Gave education background, licensed architect in New Jersey since 1992 and has given testimony before various boards. Mr. Neighbour was accepted as an expert for the applicant.

A-5: Façade Comparisons

Mr. Neighbour spoke about office area that is being removed, and showed proposed façade of the building. Explained the materials for the façade for the main entrance.

J. Molinari asked about the lighting on the plans.

Mr. Rodrigues explained that there will be additional lighting on the site, there will be four wall mounted lights, one light in the island and there are two existing fixtures that will stay.

J. Molinari asked about the landscaping, that there is not much on the site currently.

Mr. Rodrigues mentioned that there will be ornamental trees, and low plants.

R. Petrella asked if there was another view of the front of the building.

Mr. Rodriguez mentioned that there is only the one rendering.

Mr. Neighbour spoke about making the building look fresh and updated, which is what Prologis has been doing to their buildings in the area.

Mr. Zimmerman mentioned that Prologis is trying to make all of their buildings in the Meadowlands look consistent.

Attorney Novello asked what the date was of the most recent revised drawings.

Mr. Rodrigues mentioned that the date is December 16, 2020.

Attorney Novello mentioned that those plans came to be from discussion with the Bergen County Planning Board, and the plans that Boswell reviewed were dated October 29, 2020, he wanted to let the Board know that the plans shown today may have been discussed with the Board Engineer but never reviewed, the Boswell review letter is dated December 4, 2020.

R. Petrella asked if the plans have to be reviewed again by Boswell.

Mr. Dobiszewski mentioned that he was satisfied with the plans but it is up to the Planning Board, he did not see anything significant to change his review or Mr. Sachs initial review.

M. Lyons asked about comment from the Fire Department.

Mr. Marcum mentioned that they can grant approval with a condition upon review from the Fire Department.

J. Molinari asked when the Fire Department received the letter.

Secretary mentioned that it was in the beginning of December.

Attorney Novello asked if Mr. Rodrigues if there was a fire apparatus circulation plan.

Mr. Rodrigues mentioned that in the plan they showed that tractor trailers can maneuver in the front area, but they can provide a plan or make modifications.

Attorney Novello mentioned that they should ask the Fire Department for the size of their equipment so that they can include in their circulation plan.

PUBLIC HEARING: Site Plan Application (2020-SP1) and the Variance application (20-V1):
No one wished to be heard.

Motion by R. Petrella and second by J. Campbell to close public hearing on Site Plan Application (2020-SP1) and the Variance application (20-V1).

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.

All ayes. So ordered.

Motion by J. Molinari and second by R. Petrella to approve Site Plan Application (2020-SP1) and Variance application (20-V1) with conditions.

- stormwater management device
- Fire Department comment and approval

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.

All ayes. So ordered.

NEW BUSINESS:

None

(Regular) PUBLIC HEARING:

Payne Morgan, Associate Director, Wonder Capital- spoke about developing a rooftop solar project application on 195 Anderson Avenue for a state awarding process from the BPU. Mentioned that he wanted to reach out to introduce the project and get any questions from the board.

Secretary mentioned that information could be forwarded to her, and the property on Anderson Avenue may be in the Meadowlands District/NJSEA.

M. Lyons mentioned that there may be an issue with the airport and approaching paths, Mr. Morgan should reach out to the Port Authority.

Motion by V. Drozd and second by C/Wende to close public hearing.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.

All ayes. So ordered.

Motion by J. Molinari and second by J. Campbell to adjourn meeting at 9:24 P.M.

ROLL CALL: Molinari, Campbell, Meehan, Drozd, Lyons, C/Wende, Arroyo, Petrella.

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Secretary