In The Matter Of:
Planning Board Minutes

July 14, 2020

M. Virginia Guinta
Certified Court Reporters
P.O. Box 184
Rocky Hill, New Jersey 08553
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Minutes of the Virtual Meeting of the
Linden Planning Board July 14, 2020, 7 P.M.

BOARD MEMBERS PRESENT:

JOSEPH LaPLACA, CHAIRMAN
ARMAND FIORLETTI, VICE-CHAIRMAN
BARRY JAVICK, COUNCILMAN
NICHOLAS J. PANTINA
FELIPE CABEZAS
NOYO EDEM
MICHAEL ANDERSON
ALEX LOSPINOSO, MAYOR'S DESIGNEE
FRANK HETEM

ANTHONY D. RINALDO JR., BOARD ATTORNEY
PAUL RICCI, BOARD PLANNER
LEE KLEIN, TRAFFIC CONSULTANT

Mr. Pantina called the meeting to order in
accordance with the Open Public Meetings Act. Flag
salute. Roll call.

Mr. Fiorletti made a motion to accept the
minutes of the previous meeting, seconded by Mr.
LaPlaca, Mr. Anderson abstained. Minutes adopted.

Mr. Pantina made an announcement that JMV
Sales Corporation will not be heard tonight but
possibly in September.

With regard to Resolution SP-1117-20 Linden
Harmony Development, LLC, resolution was adopted
upon motion by Mr. Fiorletti to approve the
resolution, seconded by Michael Anderson, all
voted in the affirmative, Mr. Hetem not voting and
Mr. Anderson abstained.

With regard to Resolution SP-1118-20, West
Price Street North, LLC, upon motion by Mr.
Fiorletti to memorialize the resolution, seconded
by Mr. Cabezas, all voted unanimously, Mr. Hetem
not voting and Mr. Anderson abstained, resolution
memorialized.

At this time, Mr. Ricci presents two
studies, the first Study Block 309 Lots 1, 2, 3,
21, and Study 22 Dewitt Street, Block 85, Lots 12,
13, 14; John Street.

No public appeared. Mr. Ricci described
the area and referred to an aerial. He stated he
prepared a Redevelopment Study to evaluate whether
this first property referenced qualified as An
Area In Need of Redevelopment under the Local
Redevelopment and Housing Law. And he proposed several criteria that they do. He stated that a full report has been prepared as of April 15, 2020 and has been on the website for review. He spoke in detail about Criteria A, B, D. He included Lot 22 in the Redevelopment Area since it's a single parcel surrounded by commercial development and stated that criteria is met.

Mr. Rinaldo stated the report that Mr. Ricci presented is listed on the website and published in the newspaper and has been on file since 4/15.

Upon motion by Mr. Fiorletti to conclude the area as an Area In Need of Redevelopment to be determined from the foregoing analysis in conjunction with the Redevelopment and Local Housing Law, and that the Linden Planning Board should recommend to the City Council to adopt a resolution declaring the study area or any portion thereof An Area In Need Of Redevelopment.

Mr. Pantina seconded the motion and by roll call vote, all members voted in the affirmative, Mr. Javick not responding.

Mr. Ricci then reported and presented the criteria on the Redevelopment Study and Preliminary Investigation for Block 85, Lots 12, 13, 14, and this area could be used for off-street parking and to increase the opportunity for commercial aspects of the property.

Mr. Ricci stated this is a non-condemnation redevelopment area, that the property needs to be acquired through negotiation and not a condemnation process.

There were no questions from the public or the Board.

Upon motion by Mr. Fiorletti that the criteria has been met and the study area has been found to meet the requirement to be designated as An Area In Need of Redevelopment, Linden Planning Board recommends a resolution to City Council, seconded by Mr. Cabezas, roll call, all members voted in the affirmative.

APPLICANT: Amazon.com Services, LLC
ADDRESS: 1800 Lower Road
TO PERMIT: Amazon Last Mile Delivery Station
Joseph Paparo, Esquire appeared for the applicant and opened to the Board. Samantha Mazo and Jessica Schumer are sworn and described the
site and its use as a fulfillment center. (Refer to transcript.)

Ms. Schumer described in detail the life cycle of the packages, that the delivery station operates 24/7.

Ms. Mazo testified the site is very important to Amazon to be used as a delivery station for Amazon for the area. Ms. Schumer testified there are times when the station has low activity, that jobs will be created and manager positions are available.

Ms. Mazo testified the first set of drivers leave between 9:30, ten o'clock AM and more vans go out to delivery routes every 20 to 30 minutes, that it is a well-timed cycle. That there is an opportunity to avoid rush hour, that packages come in overnight and go out in vans and there will be no 18 wheeler trucks involved.

In answer to Mr. Klein's question, Amazon will stipulate or make it a condition of a resolution that the area will be restricted to box trucks and vans and passenger cars.

Ms. Schumer testified the only time a van comes back early is if there's a problem with a delivery regarding a dog or a van breaks down.

Scott Wurl, Progressive Architecture Engineering, 1811 4 Mile Road, Grand Rapids, Michigan 49525 is sworn and qualified and explained the loading process in detail for the delivery station. Floor Plan is marked A-1.

He testified there's a break room, toilet facilities, managers' offices and there will be no major changes to the building. There will be a canopy over the employee entrance.

He reviewed the report from the Fire Department and stated the appropriate HVAC ventilation and detectors will be through the building, that there is no objection to complying with the requests of the Fire Department.

Ms. Schumer testified the area of delivery is within a 45 minute drive time radius of the site. There were no further questions from the public or the Board members.

Joshua Manion, Civil Engineer, 1811 4 Mile Road, NE, Grand Rapids, Michigan 49525, is sworn and qualified. He described the existing site conditions and proposed improvements, that the footprint will not be changed, the east side of the site will be used for overnight storage of
vans. He referred to parking for employees, and that the peak season is November to January, that there will be resurfacing for parking and restriping.

With regard to the west side, there will be paving for twelve more parking spots, and overhead doors with a ramp will be installed. A few fire hydrants will be relocated and Jersey barriers will be installed with regard to the parking lot.

With regard to Mr. Ricci's report of July 9, 2020, there are no issues removing the dead trees and replacing them and they would supplement the perimeter of the property with landscaping.

With regard to Mr. Ricci's comments on the Lower Road frontage, there is a gas main and water main present and the applicant is hesitant to install more street trees along that portion.

Mr. Ricci stated the requirement is to maintain trees in the parking area not the Jersey divider. The witness stated Amazon would be open to using a guardrail.

Mr. Klein suggested a rod iron fence or picket fence type and the witness stated they are open to that.

A discussion ensued with regard to usage during the year and it was stated since this is a period of time during COVID that they are not sure. Mr. Klein requested an after study be done and it was agreed that would be a condition of approval.

Mr. Paparo agreed the applicant will work with Mr. Pantina's office to find a substitute for the Jersey barriers and work with the city planner's office.

Mr. Rinaldo also suggested working with the Shade Tree Commission and Mr. Paparo agreed.

With regard to the report on the stormwater management, June 15, 2020, the witness stated there are no issues with complying with that report.

Mr. Manion said he has no difficulty complying with Mr. Pantina's report and that Avenue C access will not be used.

Ms. Mazo testified since there's no information presently regarding the activity on the site from November, December, January or February through October, that that information
will be provided.

Joseph Fishinger, Jr., NV5 Engineering, 800 Lanidex Plaza, Parsippany, New Jersey 07054, is sworn and qualified and testified he performed a traffic analysis as part of the application and responded to Mr. Klein's letter and testified how the vehicles come in and out of the site and doesn't anticipate very many vehicles using the street and is not expecting a large amount of distance traffic to be traveling through the area.

He testified there are no objections to Mr. Klein's recent comments, that if Amazon were to leave the facility and a different user came in, that new user would have to come before the Board, and he testified the site is not open to the general public.

Amazon is agreeable to doing an after study requested by Mr. Klein.

With regard to Avenue C, Mr. Paparo stated if there are any problems that the vans will be rerouted.

Upon motion by Mr. Fiorletti to grant the Amazon application with all the conditions stated, seconded by Mr. Javick, a vote was taken and the application was unanimously granted.

APPLICANT: Linden Hawk Rise Solar, LLC
PREMISES: 1451 Lower Road, 1801 Lower Road
TO PERMIT: Preliminary and final site plan
Stephen Hehl, Esquire, appeared for the applicant and opened to the Board. He stated that the project is in a redevelopment landfill that's been closed since 2000, that it is non-productive and being turned into a productive facility for the site and surrounding area.

John Ervin, Director Linden Hawk Rise Solar, is sworn and testified that he is the Director of Development at C S Energy, an affiliate of Hawk Rise Solar. He testified the current landfill requires continual maintenance and if the application is granted, there will be lease agreements bringing in revenue and bringing a green energy site to an industrial area, that the project will support 800 houses and 51 percent will be set aside for overall savings for the people who participate.

He answered Mr. Ricci's and Mr. Pantina's reports stating there will be monitoring of the site after construction and after the site is
There are no cameras proposed on the site. There's no need for lighting since it is operational during daylight. He testified maintenance is minimal and there will be a monitoring system about once a quarter on average. He described the area to be used for a site trailer staging area as far as material deliveries. There will be a six month construction period.

The applicant is expecting all approvals and a permit application to be done by the end of September and construction started in October. There were no other issues with the professionals' reports.

Thomas J. Fik, Carroll Engineering 105 Raider Boulevard, Hillsborough, New Jersey 0884 is sworn and qualified and testified to an overview of the existing conditions at the site and what is proposed by way of improvement. An aerial is marked A-1. (Refer to transcript.)

He described the landfill completely with regard to the gas extraction system and leachate collection system. He described the proposed solar development. He referred to A-2 and A-3 sheets and testified the solar array occupies 10.7 acres on top of the landfill, that the lease area is 23.88 acres. He testified the design of the solar development is not to penetrate the cap and it is very critical the liner is not disturbed.

The system will be connected to a conduit system that's going to be above ground that runs parallel to the exiting drive. The driveway width will not be disrupted. A Jersey barrier will be installed to protect the above ground conduit from being damaged by the vehicles. The top of the landfill will be filled in certain areas to smooth the area out. Soil will be brought into the site and compacted.

All the recommendations in the geotechnical report will be followed. There is a perimeter fence surrounding the entire system and a security gate for access. There are 10,719 panels proposed and the cap limit is 4.5 megawatts.

He testified there are no issues with Mr. Pantina's letter and the NJDEP is reviewing the application and that approvals are expected shortly.

He referred to Mr. Ricci's report and
addressed the recommendations and testified they are providing an ADA turnaround area and there is no need for a substantial amount of parking.

He testified with regard to stormwater, given the size of the project, because the site is in Planning Area 1, recharge is waived and the panels and ballasts generate no pollutants, and the requirements for quantity, quality is waived.

He testified the natural drainage patterns are being preserved. Somerset Union Soil Conservation is reviewing the plan and the applicant will coordinate with them. He testified there are no issues with the reports and the applicant is willing to comply with all the reports.

No one questioned from the public or the Board members.

Upon motion by Mr. Firoletti to approve the application, seconded by Mr. Javick, all Board members voting in the affirmative, the application is approved.

At this time, a motion is made to adopt a resolution that was previously posted on the website. A motion was made by Mr. Fiorletti to adopt the resolution, seconded by Chairman LaPlaca, all Board members voting in the affirmative, resolution is adopted.

At this time, since Marilyn Coplan, long time Recording Secretary of the Board is retiring, Chairman LaPlaca thanked her for all her years of service and sent her the best wishes in the years to come.

Respectfully submitted,

Secretary